

MINUTES OF THE PRE-BID CONFERENCE OF THE PUBLIC BIDDING OF THE CONTRACT FOR THE IMPROVEMENT OF CRASH FIRE GATE WITH ACCESS ROAD HELD ON JANUARY 31, 2024 AT 2:00 PM

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 2:00 p.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

Head : Arch. Bryan G. Haber
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. Iñigo T. Balagot

Observers:

PPMC Internal Auditor
Bases Conversion and Development
Authority

Ms. Rubilyn P. Cabiles
Mr. Vergel Paras

Atty. Pacleb asked Ms. Bandolin if appropriate notices were sent to the observers. Ms. Bandolin asked 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 requested Ms. Bandolin to acknowledge the prospective bidders present in the Pre-bid Conference.

Ms. Bandolin acknowledged the presence of the following prospective bidders:

Prospective Bidder:

AC Soliven Construction

Keith Dulnuan

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 Engr. Mendoza and which was duly seconded by Ms. Baguya, the Agenda was approved.

Atty. Pacleb stated that what is being procured is the Contract for the Improvement of Crash Fire Gate with Access Road with an Approved Budget for the Contract (ABC) of Three Million Four Hundred Thousand Pesos (Php 3,400,000.00). The project duration is ninety (90) calendar days from the issuance of Notice to Proceed.

4.1 Bidding Documents

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

The Poro Point Management Corporation (PPMC), through the approved PPMC Corporate Operating Budget for CY 2024, intends to apply the sum of Three Million Four Hundred Thousand Pesos (Php 3,400,000.00) being the Approved Budget for the Contract (ABC) to payments under the Contract for the Improvement of Crash Fire Gate with Access Road/PPMC2024-037. Bids received in excess of the ABC shall be automatically rejected at bid opening.

The Poro Point Management Corporation (PPMC) now invites bids for the above Procurement Project. Completion of the Works is required within Ninety (90) calendar days from the issuance of Notice to Proceed. Bidders should have completed a contract similar to the Project. The description of an eligible bidder is contained in the Bidding Documents, particularly, in Section II. Instructions to Bidders).

Bidding will be conducted through open competitive bidding procedures using non-discretionary “*pass/fail*” criterion as specified in the 2016 revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184.

Interested bidders may obtain further information from Poro Point Management Corporation thru the BAC Secretariat and inspect the Bidding Documents at the address given below from 8:00 a.m. to 5:00 p.m.

A complete set of Bidding Documents may be acquired by interested bidders on January 23, 2024 or until the deadline for submission of Bids on February 13, 2024 before 10:00 a.m. from given address and website/s below and upon payment of a non-refundable fee for the Bidding Documents, pursuant to the latest Guidelines issued by the GPPB, in the amount of Five Thousand Pesos (Php 5,000.00). The Procuring Entity shall allow the bidder to present its proof of payment for the fees in person or through electronic means.

The complete set of bidding documents and form in PDF Format may also be downloaded free of charge from the website of the Philippine Government Electronic Procurement System (PhilGEPS) and the website of the Procuring Entity, provided that Bidders shall pay the applicable fee for the Bidding Documents not later than the submission of their bids.

Payment of the bidding documents may also be done through bank payment; details are as follows:

Name of Bank: Landbank of the Philippines, San Fernando, La Union Branch Account
Name: Poro Point Management Corporation
Current Account Number: 0202021824

Upon payment, bidders are required to submit their proof of payment and email it to ppmcbacsecretariat@gmail.com in order for PPMC to issue an Official Receipt which will also be emailed to the bidder’s email address together with the Complete Set of the Bidding Documents and Issuance of Bidding Documents Form. Upon receipt of the e-mail from the BAC Secretariat, bidders are required to e-mail back the Issuance of Bidding Documents Form.

The Pre-bid Conference is currently being conducted.

Bids 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 February 13, 2024 at 10:00 a.m. Philippine Standard Time.

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

For Electronic submission of proposals, submission may be done through electronic mail and proposals must be duly received by the BAC Secretariat through the email address, ppmcbacsecretariat@gmail.com on or before February 13, 2024 at 10:00 a.m., provided that the following will be observed:

- 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 bid;

Bidders may use the following for archiving and password protection of their bid.
(Example: WinRar, WinZip)

For the security of bids submitted, the Bidders may use the following to encrypt their files. (Example: MS Word, Adobe Acrobat)

- b. Allow access to a password-protected Technical Component of the Bid and password-protected Financial Component of the Bid on opening date and time.

The passwords for accessing the file for the Technical Component of the Bid and the Financial Component of the Bid will be disclosed by the Bidders only during the actual opening of proposals which will be on February 13, 2024 at the time of the opening of the submitted bid.

Late bids shall not be accepted.

All bids must be accompanied by a bid security in any of the acceptable forms and in the amount stated in **ITB** Clause 15.

Bid opening shall immediately follow after the deadline for submission of bids at the given address below. The bid opening will also be available through video conferencing using Zoom platform with the following details:

- Meeting ID: 786 982 3550
- Passcode: ppmc

Representatives of the bidders 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 bids 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 bidder 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 suppliers who submitted bids. Thereafter, the BAC Secretariat shall officially announce the start of the bid opening.

Bids will be opened in the presence of the bidders' representatives who choose to attend the activity.

The Poro Point Management Corporation reserves the right to reject any and all bids, declare a failure of bidding, or not award the contract at any time prior to contract award in accordance with Sections 35.6 and 41 of the 2016 revised Implementing Rules and Regulations (IRR) of RA No. 9184, without thereby incurring any liability to the affected bidder or bidders.

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 Bidding Documents: www.poropointfreeport.gov.ph

4.2 Documents to be Submitted

Atty. Pacleb requested Ms. Maconocido, Member of the BAC, to discuss the Documents to be Submitted. Ms. Maconocido 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 50
II. TECHNICAL COMPONENT ENVELOPE	
<i>Class "A" Documents</i>	
<i>Legal Documents</i>	
<input type="checkbox"/> (a) Valid PhilGEPS Registration Certificate (Platinum Membership) (all pages)	
<i>Technical Documents</i>	
<input type="checkbox"/> (b) Statement of the prospective bidder of all its ongoing 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	Use Form 2 on page 51

<input type="checkbox"/>	(c) Statement of the bidder's Single Largest Completed Contract (SLCC) similar to the contract to be bid, except under conditions provided under the rules The statement shall be supported by the Notice of Award and/or Notice to Proceed, Project Owner's Certificate of Final Acceptance issued by the Owner other than the Contractor or the Constructors Performance Evaluation System (CPES) Final Rating, which must be at least satisfactory. In case of contracts with the private sector, an equivalent document shall be submitted ; and	Use Form 3 on page 52
<input type="checkbox"/>	(d) 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"/>	(e) 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; and	Use Applicable Form 4 on Pages 53-56
	(f) Project Requirements, which shall include the following:	
<input type="checkbox"/>	a. Organizational chart for the contract to be bid;	
<input type="checkbox"/>	b. List of contractor's key personnel (<i>e.g.</i> , Project Manager, Project Engineers, Materials Engineers, Safety Officer and Foremen), to be assigned to the contract to be bid, with their complete qualification and experience data; Attach Form 6 (Key Personnel Individual Resume) of each of the Key Personnel to be assigned to the Contract and PRC License of the (professional) personnel.	Use Form 5 on Page 57 Use Form 6 on page 58
<input type="checkbox"/>	c. List of contractor's major equipment units, which are owned, leased, and/or under purchase agreements, supported by proof of ownership or certification of availability of equipment from the equipment lessor/vendor for the duration of the project, as the case may be; and	Use Form 7 on page 59
<input type="checkbox"/>	(g) 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 8 on pages 60-65
<i>Financial Documents</i>		
<input type="checkbox"/>	(h) The prospective bidder's computation of Net Financial Contracting Capacity (NFCC).	Use Form 9 on page 66
<i>Class "B" Documents</i>		
<input type="checkbox"/>	(i) If applicable, duly signed joint venture agreement (JVA) in accordance with RA No. 4566 and its IRR in case the joint venture is already in existence; or duly notarized statements from all the potential joint venture partners stating that they will enter into and abide by the provisions of the JVA in the instance that the bid is successful.	

III. FINANCIAL COMPONENT ENVELOPE		
<input type="checkbox"/>	(j) Original of duly signed and accomplished Financial Bid Form; and	Use Form 10 on Pages 67-68
<i>Other documentary requirements under RA No. 9184</i>		
<input type="checkbox"/>	(k) Original of duly signed Bid Prices in the Bill of Quantities; and	Use Form 11 on page 69 and Form 12 on page 70
<input type="checkbox"/>	(l) 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	Bidder may use the sample format for the Detailed Estimates and Summary Sheet. Detailed Estimates Sample Format – Pages 71-76 Summary Sheet Sample Format – Page 77
<input type="checkbox"/>	(m) Cash Flow by Quarter.	

Discussion of Specifications and Drawings

Arch. Haber discussed the specifications and drawings.

Arch. Haber discussed that the following are included in the specifications for the Improvement of Crash Fire Gate with Access Road:

- General Provisions
- A. Site Works and Demolition
- B. Earthworks, Excavation and Embankment, Fills and Site Grading, Subgrade Preparation and Aggregate Sub Base Course
- C. Concrete Works
- D. Drainage Works
- E. Rebars and Steel Works
- F. Formworks and Scaffolds
- G. Finishing Works
- H. Safety

Arch. Haber proceeded to discuss the drawings.

The drawings are composed of three sheets as follows:

- 1st Sheet which includes the Perspective, Vicinity Map and Proposed Gate Location
- 2nd Sheet which includes the Portland Cement Concrete Pavement Plan and Elevation

- 3rd Sheet which includes the Proposed Gate Location, Typical Column and Footing Details, CHB Fence to be demolished and replace with Gate and Gate Details

Further, Atty. Pacleb requested Arch. Aquino to read out 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 horizontal structures (road, slope protection, drainage).																																												
7.1	Subcontracting is not allowed.																																												
10.3	Valid Philippine Contractors Accreditation Board (PCAB) license with size and range of at least Small B.																																												
10.4	The key personnel must meet the required minimum years of experience set below:																																												
	<table border="1" data-bbox="443 813 1457 1043"> <thead> <tr> <th data-bbox="443 813 783 844"><u>Key Personnel</u></th> <th data-bbox="783 813 1139 844"><u>General Experience</u></th> <th data-bbox="1139 813 1457 844"><u>Relevant Experience</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="443 844 783 875">Project Manager</td> <td data-bbox="783 844 1139 875">5 years</td> <td data-bbox="1139 844 1457 875">2 years</td> </tr> <tr> <td data-bbox="443 875 783 907">Project Engineer</td> <td data-bbox="783 875 1139 907">2 years</td> <td data-bbox="1139 875 1457 907">1 year</td> </tr> <tr> <td data-bbox="443 907 783 938">Materials Engineer</td> <td data-bbox="783 907 1139 938">2 years</td> <td data-bbox="1139 907 1457 938">1 year</td> </tr> <tr> <td data-bbox="443 938 783 969">Safety Officer</td> <td data-bbox="783 938 1139 969">2 years</td> <td data-bbox="1139 938 1457 969">1 year</td> </tr> <tr> <td data-bbox="443 969 783 1001">Foreman</td> <td data-bbox="783 969 1139 1001">2 years</td> <td data-bbox="1139 969 1457 1001">1 year</td> </tr> </tbody> </table> <p data-bbox="421 1081 1457 1227">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.</p>			<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																								
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10.5	<p data-bbox="421 1267 1246 1299">The minimum major equipment requirements are the following:</p> <table border="1" data-bbox="459 1337 1457 1975"> <thead> <tr> <th data-bbox="459 1337 831 1368"><u>Equipment</u></th> <th data-bbox="831 1337 1187 1368"><u>Capacity</u></th> <th data-bbox="1187 1337 1457 1368"><u>Number of Units</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="459 1368 831 1447">Service Truck/ Cargo Truck</td> <td data-bbox="831 1368 1187 1447">at least 1.80 T</td> <td data-bbox="1187 1368 1457 1447">1</td> </tr> <tr> <td data-bbox="459 1447 831 1478">Dump Truck</td> <td data-bbox="831 1447 1187 1478">at least 10 cu.m</td> <td data-bbox="1187 1447 1457 1478">1</td> </tr> <tr> <td data-bbox="459 1478 831 1509">Water Truck</td> <td data-bbox="831 1478 1187 1509">at least 1000 gals</td> <td data-bbox="1187 1478 1457 1509">1</td> </tr> <tr> <td data-bbox="459 1509 831 1541">Back hoe</td> <td data-bbox="831 1509 1187 1541">at least 0.13 cu.m.</td> <td data-bbox="1187 1509 1457 1541">1</td> </tr> <tr> <td data-bbox="459 1541 831 1572">Motorized Road Grader</td> <td data-bbox="831 1541 1187 1572">at least 140 Hp</td> <td data-bbox="1187 1541 1457 1572">1</td> </tr> <tr> <td data-bbox="459 1572 831 1603">Vibratory Roller</td> <td data-bbox="831 1572 1187 1603">at least 10 m.t.</td> <td data-bbox="1187 1572 1457 1603">1</td> </tr> <tr> <td data-bbox="459 1603 831 1635">Plate Compactor</td> <td data-bbox="831 1603 1187 1635">at least 5 Hp</td> <td data-bbox="1187 1603 1457 1635">1</td> </tr> <tr> <td data-bbox="459 1635 831 1713">Field Density Test Apparatus</td> <td data-bbox="831 1635 1187 1713">at least 1 set</td> <td data-bbox="1187 1635 1457 1713">1</td> </tr> <tr> <td data-bbox="459 1713 831 1744">Concrete Mixer</td> <td data-bbox="831 1713 1187 1744">one (1) bagger</td> <td data-bbox="1187 1713 1457 1744">1</td> </tr> <tr> <td data-bbox="459 1744 831 1776">Concrete Vibrator</td> <td data-bbox="831 1744 1187 1776">at least 5.5 Hp</td> <td data-bbox="1187 1744 1457 1776">1</td> </tr> <tr> <td data-bbox="459 1776 831 1807">Concrete Screeder</td> <td data-bbox="831 1776 1187 1807">at least 5.5 Hp</td> <td data-bbox="1187 1776 1457 1807">1</td> </tr> <tr> <td data-bbox="459 1807 831 1886">Concrete Saw, Blade Ø 14"</td> <td data-bbox="831 1807 1187 1886">at least 7.5 Hp</td> <td data-bbox="1187 1807 1457 1886">1</td> </tr> <tr> <td data-bbox="459 1886 831 1917">Bar cutting machine</td> <td data-bbox="831 1886 1187 1917">at least 1500 watts</td> <td data-bbox="1187 1886 1457 1917">1</td> </tr> </tbody> </table>			<u>Equipment</u>	<u>Capacity</u>	<u>Number of Units</u>	Service Truck/ Cargo Truck	at least 1.80 T	1	Dump Truck	at least 10 cu.m	1	Water Truck	at least 1000 gals	1	Back hoe	at least 0.13 cu.m.	1	Motorized Road Grader	at least 140 Hp	1	Vibratory Roller	at least 10 m.t.	1	Plate Compactor	at least 5 Hp	1	Field Density Test Apparatus	at least 1 set	1	Concrete Mixer	one (1) bagger	1	Concrete Vibrator	at least 5.5 Hp	1	Concrete Screeder	at least 5.5 Hp	1	Concrete Saw, Blade Ø 14"	at least 7.5 Hp	1	Bar cutting machine	at least 1500 watts	1
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Welding machine	at least 300 Amps	1								
Electric grinder	at least 600 watts	1								
Water pump/suction pump/submersible pump	at least 1 HP	1								
12	None									
15.1	<p>The bid security shall be in the form of a Bid Securing Declaration or any of the following forms and amounts:</p> <ul style="list-style-type: none"> a. The amount of not less than Php 68,000.00 [two percent (2%) of ABC], if bid security is in cash, cashier's/manager's check, bank draft/guarantee or irrevocable letter of credit; b. The amount of not less than Php170,000.00 [five percent (5%) of ABC] if bid security is in Surety Bond. 									
16	<p>Each Bidder shall submit one (1) original and two (2) copies of the first and second components of its bid.</p> <p>For Electronic submission of bids, submission may be done through electronic mail and bids must be duly received by the BAC Secretariat through the email address, ppmcbacsecretariat@gmail.com on or before February 13, 2024 at 10:00 a.m., provided that the following will be observed:</p> <ul 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 bid. <p>Bidders may use the following for archiving and password protection of the bid. (Example: WinRar, WinZip)</p> <p>For the security of bids submitted, the Bidders may use the following to encrypt their files. (Example: MS Word, Adobe Acrobat)</p> <ul style="list-style-type: none"> b. Allow access to a password-protected Technical Component of the Bid and password-protected Financial Component of the Bid on opening date and time. <p>The passwords for accessing the file for the Technical Component of the Bid and the Financial Component of the Bid will be disclosed by the Bidders only during the actual opening of proposals which will be on February 13, 2024, at the time of the opening of the submitted bid.</p>									
19.2	<p>Partial bid is not allowed. The infrastructure project is packaged in a single lot and the lot shall not be divided into sub-lots for the purpose of bidding, evaluation, and contract award.</p>									
20	<p>Within five (5) calendar days from receipt by the bidder of the notice from the BAC that the bidder has the Lowest Calculated Bid, the bidder shall submit to</p>									

	<p>the BAC its latest income and business tax returns filed and paid through the BIR Electronic Filing and Payment System (eFPS).</p> <p>Class “A” eligibility documents supporting the PhilGEPS Certificate of Registration and Membership in accordance with Section 8.5.2 of the IRR of RA 9184 shall also be submitted during post-qualification.</p>
21	<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 the bidder is free from any tax liabilities</p>

Atty. Pacleb discussed the forms to be used.

Form 1, Letter of Intent to Participate

The form can be found on page 50 of the Bidding 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.

Form 2, Statement of all Ongoing Government and Private Contracts including contracts awarded but not yet started.

Form 2 can be found on page 51. The required data include the Business Name which would pertain to the name of the company; Business Address would pertain to the address of the company. The first column is the Name of the Contract and the Project Cost, for both Government and Private Contracts. The second column would include the following information: Owner’s Name which would pertain to the person or the company the bidder contracted with; Address and Telephone Nos. of the client. The third column is the Nature of Work which describes the nature of the contract. The next column would be the Contractor’s Role which pertains if the bidder is a contractor, sub-contractor or partner in a JV. % refers to the percentage of participation in the contract. The participation is 100% if it is the contractor and not a JV partner. For JV partners, bidders must indicate the % of their participation in the contract. Next column is the Date Awarded as indicated in the Notice of Award. Date Started is the date indicated in the Notice to Proceed and Date of Completion which can be seen from the Certificate of Completion. Under % of Accomplishment, Planned should be 100%; for actual percentage, it is the actual percentage of accomplished works at the time of the bidding. Since this is

an ongoing contract, please provide the actual completion in the project as of submittal of the bid. This is computed based on a pro-rated portion of the project which has been completed. The value of outstanding works refers to the remaining works which has not been completed. The form must be submitted with the Printed Name and Signature of the Bidder's Representative or Authorized Signatory. The Designation would be the official position title of the person signing it and Date would be the date on which the documents has been signed.

Atty. Pacleb reiterated that for the value of outstanding works, bidders must provide the value or amount in peso because this will be used in the computation of NFCC.

On Form 3, Single Largest Completed Contract which is Similar in Nature to the Contract to be Bid.

Atty. Pacleb emphasized that similar contracts shall refer to contracts which have the same major categories of work, which shall be: Construction of horizontal structures (road, slope protection, drainage).

The required data includes the Business Name referring to the name of the company, Business address refers to the address of the company. The first column is the Name of the Contract which requires the correct name of the contract entered by into by and between the company and the principal. The second column would include the following information: Owner's name refers to the principal the company contracted with, Address refers the address of the owner of the project and Telephone no. of the owner. The third column is the Nature of Work which describes the particular project. The next column would be the contractor's role which is described as the contractor, subcontractor or joint venture. Next column is the % which refers to the percentage of participation of the company in the contract. The next column is the total Contract Value at Award which refers to the amount indicated in the Notice of Award or at the contract. Total Contract Value at Completion may not necessarily be the same as the Total Contract Value at Award because of variations in the contract implementation. The Date of Contract, Contract Effectivity and Date Completed are also required to be filled-out. The contract must be supported by the Notice of Award and/or Notice to Proceed, Project Owner's Certificate of Final Acceptance issued by the Owner other than the Contractor or the Constructors Performance Evaluation System (CPES) Final Rating, which must be at least satisfactory. In case of contracts with the private sector, an equivalent document shall be submitted. The form must be submitted with the Printed Name and Signature of the Bidder's Representative or Authorized Signatory. The Designation would be the official position title of the person signing it and Date would be the date on which the documents has been signed.

On Form 4, Bid Securing Declaration

For the Bid Securing Declaration, the forms are provided for Sole Proprietorship, Partnership, Corporation, Cooperative or Joint Venture. Atty. Pacleb stated that the bidder must supply the needed information. On the second page, include the bidder's authorized representative, signatory's legal capacity which pertains to the official designation, and also indicate that the person is also the affiant. Atty. Pacleb emphasized that the form must be submitted without any alteration.

On Form 5, Qualification of Key Personnel Proposed to be Assigned to the Contract

The required data included the Business Name which refers to the name of the company, Business address refers to the address of the company. Under the second row, bidders should indicate the name of the Project Manager, the Project Engineer, the Materials Engineer, Safety Officer and Foreman. The address and the Date of Birth of the key personnel should also be filled-up. The Employed Since refers to the first date of employment in the present company. For experience, there are two rows that need to be filled-up, the General and Relevant Experience. Row 6, Previous Employment refers to the listing of previous employments. For purposes of the bidding, qualifications and years of experience are being counted, so what is important is to prove that the key personnel listed have sufficient experience or they are compliant with the requirements, these are broken down under general or relevant experience. For the previous employment, indicate the years of previous employment experience of the person nominated for the position.

For row 7, education, this refers to the degree of the nominated personnel. Row 8 is the PRC license of the professional key personnel.

Minimum requirements are: (1) Project Manager, (1) Project Engineer, (1) Materials Engineer, (1) Safety Officer and (1) Foreman.

Please attach Form 6 (Key Personnel Individual Resume) of each of the Key Personnel to be assigned to the Contract and PRC License of the (professional) personnel.

For Submitted by, please indicate the Printed Name and Signature of the Authorized Representative and the Designation of the person signing it as well as the Date the document was signed.

Atty. Pacleb stated that in the past bidding, some of the nominated personnel did not comply with the requirements or some did not show enough proof or sufficient evidence to vouch for the compliance with the experience requirements, thus, Form 6, Key Personnel Individual Resume is included to facilitate the process of eligibility checking during the preliminary examination of the technical component of the bid. It would be easier to identify if all the nominated personnel are compliant with the requirements.

On Form 6, Key Personnel Individual Resume

This form must be submitted to in order for us to easily identify the relevant and general experience of the nominated personnel.

In the form, the following must be supplied:

The nomination of the key personnel, Name, Date of Birth, Nationality, Education, Professional License/s, Length of Service with the Firm.

It is reiterated that PRC License of the professional personnel shall be attached to Form 5.

The total number of years of general experience as well as the list of the nominated personnel's general experience must be provided.

The total number of years of relevant experience as well as the list of the nominated personnel's relevant experience must also be provided.

The name and signature of the Key Personnel, Name and Signature of Authorized Representative and the date of signing the form must be supplied.

On Form 7, List of Equipment Owned or Leased and/or under Purchase Agreements, Pledged to the Proposed Contract

The required data included the Business Name which refers to the name of the company. Business Address refers to the address of the company. Under the first column, Description refers to the description of the equipment. The equipment shall be placed either under Owned, Leased or Under Purchase Agreement, whichever is applicable. Second column is Model/ Year. Under third column is Capacity/ Performance/ Size. Under fourth column is Plate No. which refers to the plate number if the equipment is a vehicle, if it is not a vehicle, just leave it blank or put N/A. For Motor No. / Body No. this pertains to vehicle. Location refers to the area where the equipment is located. Condition, please indicate if the equipment is working or in good condition. For Proofs of Ownership/ Lessor or Vendor, this refers to receipts, lease agreements or lease purchase agreements.

This form will be submitted by the authorized representative together with the supporting documents. Indicate the designation and date when the document was signed.

List of minimum major equipment required is indicated in the ITB Clause 10.5 of the Bid Data Sheet

On Form 8, Omnibus Sworn Statement

Atty. Pacleb stated that the bidder 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 bidding documents.

Atty. Pacleb stated to use the applicable form depending on the type of organization.

Atty. Pacleb 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 9, Computation of Net Financial Contracting Capacity (NFCC)

The amount shall be based on bidder's latest financial statement submitted to the BIR.

The form must also be submitted with the name and signature of the bidder's authorized representative and the date of signing the document.

On Form 10, 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 bid, 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 11, Summary of Bid Prices in the Bill of Quantities and Form 12, 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.

Sample format for Detailed Estimates and Summary Sheet has been provided.

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

4.3 Bid Evaluation

For the Detailed Evaluation of Bids, the BAC will check the correctness and completeness of the data provided by the bidders. The BAC will determine the ranking of the bids and determine the Lowest Calculated Bid.

4.4 Post Qualification

Atty. Pacleb stated the bidder which submitted the Lowest Calculated Bid (LCB) will be notified for the conduct of a Post-qualification. If the bidder which submitted the LCB 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 Bid for the award of the contract. 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 Mr. Villareal to discuss the Offenses and Penalties. Mr. Villareal 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 February 2, 2024 to request for clarification. The issuance of Supplemental/Bid Bulletin will be until February 6, 2024.

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 bids, bids shall be submitted on or before the deadline because late submission of bid shall not be accepted. Bids can be submitted either manually or electronically provided that instructions indicated in the bidding documents will be followed.

Bidders shall also follow strictly the form as provided in bidding documents and do not leave blank spaces.

V. REQUEST FOR CLARIFICATIONS/QUESTIONS AND ANSWERS

No one from the body asked for clarifications.

VI. ADJOURNMENT

There being no other matters to be discussed the meeting was adjourned at 3:00 PM.

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. LASTINA L. BAGUYA
Member, BAC



MR. FRANKLIN C. VILLAREAL
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MS. ELIZA M. MACONCIDO
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Member, BAC



ATTY. MARLOU P. PACLEB
Chairperson