

MINUTES OF THE PRE-BID CONFERENCE OF THE PUBLIC BIDDING OF THE CONTRACT FOR THE 1) SUPPLY, DELIVERY, INSTALLATION, TESTING AND COMMISSIONING OF TWO (2) UNITS BRAND NEW CONSTANT CURRENT REGULATOR (CCR) AND 2) REHABILITATION, REPAIR AND REPLACEMENT OF DEFECTIVE PARTS, TESTING AND COMMISSIONING OF MAIN CONTROL DESK CONDUCTED AT PPMC ADMINISTRATION BUILDING ON FEBRUARY 19, 2025 AT 10:00 AM.

I. CALL TO ORDER

The Pre-Bid Conference was called to order by Ms. Maria Victoria Redempta De Guzman-Soriano, Chairperson of the Bids and Awards Committee (BAC) for the Procurement of Goods at 10:00 a.m.

II. PRAYER

The prayer was led by Ms. Abigail Q. Peralta, Member of the BAC – Technical Working Group.

III. 98 PARTICIPANTS

Ms. Soriano requested Ms. 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 Goods

Chairperson : Ms. Maria Victoria Redempta De Guzman-Soriano
Vice Chairperson : Ms. Eliza M. Maconocido
Members : Engr. Cerila A. Corpuz
Ms. Josefa Catherine T. Bada
Atty. Anna Teris D. Co
Mr. Franklin C. Villareal

Technical Working Group

Head : Arch. Marc Lawrence P. Aquino
Members : Engr. Epifanio C. Balangue
Engr. Mennen C. Mendoza
Ms. Abigail Q. Peralta

BAC Secretariat

Head : Ms. Charlotte C. Bandolin
Members : Mr. Carlo S. Escalona
Ms. Michelle A. Subala
Mr. Dino Paolo D. Garcia
Mr. Iñigo T. Balagot

4.1 Bidding Documents

Ms. Soriano stated that the Bidding Documents are patterned from the 6th Edition of the Philippine Bidding Documents. The Bidding Documents were uploaded in the PPMC Website and PhilGEPS.

Ms. Soriano stated that the purchase of Bidding Documents can be done prior to the deadline for submission of bids. The total amount to be paid for the Bidding Documents is Five Thousand Pesos (Php 5,000.00).

Ms. Soriano stated that what is being bid out is the Contract for the 1) Supply, Delivery, Installation, Testing and Commissioning of two (2) units brand new Constant Current Regulator (CCR) and 2) Rehabilitation, Repair and Replacement of defective parts, Testing and Commissioning of Main Control Desk. Delivery of the Goods is required within One Hundred Eighty (180) calendar days from receipt of Notice to Proceed. The Approved Budget for the Contract is Three Million Four Hundred Sixty Thousand Pesos (Php 3,460,000.00). Bids received in excess of the ABC shall be automatically rejected at bid opening.

The Bidding Documents consist of the following parts:

- Invitation to Bid;
- Instructions to Bidders;
- Bid Data Sheet;
- General Conditions of the Contract;
- Special Conditions of the Contract;
- Schedule of Requirements;
- Technical Specifications;
- Checklist of Technical and Financial Documents; and
- Bidding Forms

Ms. Soriano emphasized the following items in the Invitation to Bid.

- For similar contract or the Single Largest Completed Contract, this should have been completed within five (5) years from the date of submission of bids.
- Bidding will be conducted through open competitive bidding procedures using a non-discretionary “*pass/fail*” criterion as specified in the 2016 revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184.

The rules and regulations of Republic Act No. 9184 will continue to be followed, because there is a transitory provision under the Republic Act No. 12009, that states that agencies are given three (3) years to fully comply with the law.

- The complete set of Bidding Documents is already available and can be purchased already. The deadline for submission of bids is on March 4, 2025 at 10:00 AM. The Bidding Documents can also be downloaded from the website of PPMC and PhilGEPS.
- 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. Bidders may opt to pay the bidding documents directly to the cashier at the PPMC office.

- The minutes of the pre-bid conference will be posted at the PPMC website.
- For the submission of bids, the deadline is on March 4, 2025 at 10:00 am.
- All Bids must be accompanied by a bid security in any of the acceptable forms and in the amount stated in **ITB** Clause 14.
- Bid opening shall immediately follow after the deadline for submission of bids at the address given in the Bidding Documents. 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 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 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/ Administrative Officer
 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

All queries must be submitted formally in writing. Ms. Soriano reiterated that contacting the BAC Secretariat for any reason not allowed by the rules is prohibited, particularly after bids have been opened. If bidders have queries prior to the submission of bids, this shall be submitted in writing. Verbal queries will not be entertained.

4.2 Documents to be Submitted:

Ms. Soriano requested Arch Aquino 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 as discussed by Arch. Aquino:

Checklist of Technical and Financial Documents

I. LETTER OF INTENT TO PARTICIPATE		Use Form 1 on Page 39
II. TECHNICAL COMPONENT ENVELOPE		
CLASS "A" DOCUMENTS		
LEGAL DOCUMENTS		
	a. Valid PhilGEPS Registration Certificate (Platinum Membership) (all pages) in accordance with Section 8.5.2 of the IRR	
TECHNICAL DOCUMENTS		
	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 Pages 40
	c. Statement of the bidder's Single Largest Completed Contract (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; and	Use Form 3 on Pages 41
	d. 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 the Applicable Form 4 on Pages 42-45
	e. Conformity with the Technical Specifications, which may include production/delivery schedule, manpower requirements, and/or after-sales/parts, if applicable; and	Use Form 5 on Pages 46-48



	f. 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 the Applicable Form 6 on Pages 49-54
FINANCIAL DOCUMENT		
	g. The prospective bidder's computation of Net Financial Contracting Capacity (NFCC) or A committed Line of Credit from a Universal or Commercial Bank in lieu of its NFCC computation.	Use Form 7 on Page 55
CLASS "B" DOCUMENTS		
	h. If applicable, a duly signed joint venture agreement (JVA) 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.	Do not submit if Not Applicable
III. FINANCIAL COMPONENT ENVELOPE		
	i. Original of duly signed and accomplished Financial Bid Form; and	Use Form 8 on Pages 56-57
	j. Original of duly signed and accomplished Price Schedules.	Use Applicable Form For goods offered from abroad, use Form 9 on Page 58 For goods offered within the Philippines, use Form 10 on Page 59
<i>Other documentary requirements under RA No. 9184 (as applicable)</i>		
	k. <i>[For foreign bidders claiming by reason of their country's extension of reciprocal rights to Filipinos]</i> Certification from the relevant government office of their country stating that Filipinos are allowed to participate in government procurement activities for the same item or product.	
	l. Certification from the DTI if the Bidder claims preference as a Domestic Bidder or Domestic Entity.	

Ms. Soriano reiterated that each Bidder shall submit one (1) original and two (2) copies of the first and second components of its Bid.

Ms. Soriano requested Engr. Balangue, Member of the TWG to discuss the Technical Specifications. Engr. Balangue read out the Technical Specifications as follows:

TECHNICAL SPECIFICATIONS

The Procurement Project consist of one (1) lot as follows:

1) SUPPLY, DELIVERY, INSTALLATION, TESTING AND COMMISSIONING OF TWO (2) UNITS BRAND NEW CONSTANT CURRENT REGULATOR (CCR); AND

2) REHABILITATION, REPAIR AND REPLACEMENT OF DEFECTIVE PARTS,
TESTING AND COMMISSIONING OF MAIN CONTROL DESK

- 1) SUPPLY, DELIVERY, INSTALLATION, TESTING AND COMMISSIONING OF TWO (2) UNITS BRAND NEW CONSTANT CURRENT REGULATOR (CCR); AND
2) REHABILITATION, REPAIR AND REPLACEMENT OF DEFECTIVE PARTS, TESTING AND COMMISSIONING OF MAIN CONTROL DESK WITH THE FOLLOWING MINIMUM SPECIFICATIONS:

1) CONSTANT CURRENT REGULATOR (CCR) MINIMUM SPECIFICATIONS	
• Phase	Single Phase
• Degree of Mechanical Protection	IP21
• Input	230 VAC, 60Hz., 24 A
• Output	5 kVA at 6.60 A
• Maximum Output Voltage	758 V
• Output Current	6.60 A
• Control	20-60 Vdc
• Current Protection	Open Circuit and Overcurrent
• Brightness	5 steps brightness control
• Other Protective Device	Surge/Lightning Arrester
2) MAIN CONTROL DESK MINIMUM SPECIFICATIONS	
<ul style="list-style-type: none"> Rehabilitation, Repair and Replacement of defective parts, Testing and Commissioning of Main Control Desk <p>To provide/supply the Power Supply</p>	
SERVICES	<p>The supplier shall provide the following:</p> <p>1) Supply, Delivery, Installation, Testing and Commissioning of two (2) units brand new Constant Current Regulator (CCR) and 2) Rehabilitation, Repair and Replacement of defective parts, Testing and Commissioning of Main Control Desk on site to conform with the whole Airfield Ground Lighting System, Operation and Maintenance Training to PPMC personnel, CAAP personnel and end user.</p>
WARRANTY	One (1) Year after acceptance by the Procuring Entity
DELIVERY	Within One Hundred Eighty (180) Calendar Days from Receipt of the Notice to Proceed.
SPECIAL PROVISION	Bidder must have been engaged in the sale and service maintenance of equipment for Airfield Ground Lighting System in good standing in the Philippines for at least five (5) years from the date of the invitation to bid. The equipment brand must have good quality track record and must have been commercially sold and distributed in the Philippines for at least five (5) years from the date of the Invitation to Bid.

OTHERS	<p>After Sales Service and Support during the warranty period, all reported defects shall be completely/satisfactorily repaired/replaced by all the winning bidder/supplier within 72 hours after receipt of a verbal and/or written notice from the procuring entity.</p> <p>After the warranty period, spare parts or components shall be supplied as promptly as possible, but in any case, within one month upon placing the order.</p> <p>Spare parts shall be available in the Philippine market.</p>
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THE SUPPLIER MAY OFFER MORE SUPERIOR SPECIFICATIONS AT NO ADDITIONAL COST TO PPMC.

Ms. Soriano reiterated that the Public Bidding is for one (1) project, but consists of two (2) components as follows: 1) Supply, Delivery, Installation, Testing and Commissioning of two (2) units brand new Constant Current Regulator (CCR) and 2) Rehabilitation, Repair and Replacement of defective parts, Testing and Commissioning of Main Control Desk. The said project is being procured under one (1) procurement contract.

Ms. Soriano stated the bidding documents can be downloaded from the PhilGEPS and PPMC Website.

Ms. Soriano discussed the Bidding Forms.

Form 1, Letter of Intent to Participate

The form can be found on page 39 of the Bidding Documents. Bidders may re-encode the form provided that all the information required are included.

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

This form is needed for the computation of the Net Financial Contracting Capacity. All contracts which are ongoing have to be declared as provided for in Section 23.1 (iv) of the Revised IRR of RA 9184 which states that all 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 must be included.

The required data in Form 2 include the Business Name which pertains to the name of the company; Business Address pertains to the address of the company.

The first column is the Name of the Contract, for both Government and Private Contracts. The name of the contract pertains to the title of the contract. The second column pertains to the kind of goods that need to be delivered, as indicated in the contract with the contracting party. The third column, Contract Date, pertains to the date when the contract was executed. The fourth column, Period of Delivery, pertains to the timeframe within which the goods must be delivered; in this specific column, bidders are required to indicate the number of calendar days as provided for in the Contract or Purchase Order. Fifth column, Date of Delivery, pertains to the specific date when the goods are to be delivered. The sixth column, Amount, which pertains to the project cost as indicated in the Contract or Purchase Order. The seventh



column, Value of Outstanding Works / Undelivered Portion as of the date of preparation of Form 2, pertains to the remaining value of works yet to be completed or portions of goods yet to be delivered.

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 document has been signed.

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

As provided for under ITB Clause 5.3, for this purpose the contracts similar to the project shall be, Contracts for the Supply, Delivery, Installation, Testing and Commissioning of Equipment for Airfield Ground Lighting System and that the contract shall be completed within five (5) years prior to the deadline for the submission and receipt of bids.

The required data in Form 3 include the Business Name which pertains to the name of the company; Business Address pertains to the address of the company.

The first column is the Name of the Contract, the name of the contract pertains to the title of the contract. The second column, Definition or Description of the Similar Project or Major Categories of Work, pertains to a detailed explanation or characterization of the similar project or the primary types of goods delivered. The third column, Contract Date, pertains to the date when the contract was executed. The fourth column, Period of Delivery, pertains to the timeframe within which the goods were delivered; in this specific column, bidders are required to indicate the number of calendar days as provided for in the Contract or Purchase Order. Fifth column, Date of Delivery, pertains to the specific date when the goods were delivered. The sixth column, Amount, which pertains to the project cost as indicated in the Contract or Purchase Order.

All information which will be provided will be verified during post-qualification.

The statement shall be supported by a Certificate of Acceptance or Inspection and Acceptance Report issued by the Principal. 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 document has been signed.

Form 4, Bid Securing Declaration

For the Bid Securing Declaration, the forms are provided for Sole Proprietorship, Partnership, Corporation, Cooperative or Joint Venture, the bidders shall use the appropriate form whichever is applicable.

Ms. Soriano reiterated that bidders must ensure the completeness of the form and substance.

As for the jurat, Ms. Soriano reminded the bidders to fill out the data provided for particularly the serial number of commission. The notary public must indicate his/her serial number of commission.



Form 5, Compliance with Technical Specifications

Ms. Soriano stated that bidders must state in the Form either "Comply" or "Not Comply" against each of the individual parameters of each Specification stating the corresponding performance parameter of the 1) Supply, Delivery, Installation, Testing and Commissioning of two (2) units brand new Constant Current Regulator (CCR) and 2) Rehabilitation, Repair and Replacement of defective parts, Testing and Commissioning of Main Control Desk. Statements of "Comply" or "Not Comply" must be supported by evidence in a Bidders Bid and cross-referenced to that evidence. Evidence shall be in the form of manufacturer's un-amended sales literature, unconditional statements of specification and compliance issued by the manufacturer, samples, independent test data whichever is appropriate. A statement that is not supported by evidence or is subsequently found to be contradicted by the evidence presented will render the Bid under evaluation liable for rejection. A statement either in the Bidders statement of compliance or the supporting evidence that is found to be false either during Bid evaluation, post-qualification or the execution of the Contract may be regarded as fraudulent and render the Bidder or supplier liable for prosecution subject to the provisions of ITB Clause 4.

The form must be submitted with the Printed Name and Signature of the Bidder's Representative or Authorized Signatory, Designation and the date on which the document was signed.

Form 6, Omnibus Sworn Statement

For the Omnibus Sworn Statement, the forms are provided for Sole Proprietorship, Partnership, Corporation, Cooperative or Joint Venture; the bidders shall use the appropriate form whichever is applicable.

Ms. Soriano reiterated that bidders shall ensure that all items as provided in the standard forms will be the same with their submittals and all blank spaces must be filled-out.

Bidders are required to attach a proof that its representative has been authorized to execute, and perform any and all acts necessary to participate, submit the bid, and to sign and execute the ensuing Contract for the 1) Supply, Delivery, Installation, Testing and Commissioning of two (2) units brand new Constant Current Regulator (CCR) and 2) Rehabilitation, Repair and Replacement of defective parts, Testing and Commissioning of Main Control Desk. Bidders shall attach duly notarized Secretary's Certificate, Board/Partnership Resolution, or Special Power of Attorney, whichever is applicable.

The form must be submitted with the Printed Name and Signature of the Bidder's Representative or Authorized Signatory in the affiant portion.

For the notarization, bidders shall ensure that this has been filled-out properly by the notary public.

Form 7, Computation of Net Financial Contracting Capacity

This form shall be used for the computation of the Net Financial Contracting Capacity.

The form must be submitted with the Printed Name and Signature of the Bidder's Representative or Authorized Signatory and the date on which the document was signed.

Form 8, Bid Form

Ms. Soriano stated that the Bid Form and the Price Schedule must be submitted together. Stated in the last paragraph is as follows: "We acknowledge that failure to sign each and every page of this Bid Form, including the attached Cost Breakdown, shall be a ground for the rejection of our bid." Ms. Soriano reiterated that bidders shall submit both the Bid Form and the Price Schedule. Bidders shall ensure that all necessary information are provided.

On this form, the number of the Bid Bulletin issued must be supplied, if applicable. For the sum of, this pertains to the amount of bid. If the bidder will not provide for the provision of gratuities, bidders shall state "none".

In the capacity of pertains to the official designation of the person who signed the form; Signed pertains to the signature of the person duly authorized to sign the bid for and on behalf of the company; Duly authorized to sign the bid for and on behalf of pertains to the name of company.

Form 9, Price Schedule for Goods Offered from Abroad

Ms. Soriano enumerated the needed information on the form as follows:

- Name of Bidder
- Project ID Number
- Pages
- Item
- Description
- Country of Origin
- Quantity
- Unit Price CIF port of entry (specify port) or CIP named place (specify border point or place of destination)
- Total CIF of CIP price per item (col. 4 x 5)
- Unit Price Delivered Duty Unpaid
- Unit Price Delivered Duty Paid
- Total Price delivered DDP

Ms. Soriano stated that the form must be submitted with the name of the bidder's authorized representative, his/ her legal capacity, signature and the name of the company.

Form 10, Price Schedule for Goods Offered from the Philippines

Ms. Soriano enumerated the needed information on the form as follows:

- Name of Bidder
- Project ID Number
- Pages
- Item
- Description
- Country of Origin
- Quantity
- Unit Price EXW per item
- Transportation and all other costs incidental to delivery, per item – If this will be offered for free, bidders must indicate in the form "0" or "-"



- Sales and other taxes payable if Contract is awarded, per item – Please indicate the amount of taxes paid, the BAC will not accept a “0” or “-” under this column. Bidder must provide in the form the correct amount of taxes.
- Cost of Incidental Services, if applicable, per item
- Total Price, per unit
- Total Price delivered Final Destination

Ms. Soriano reiterated that for column 7, bidders are required to indicate the tax amount. This is required to be filled-out with an amount because payment of taxes is required by law. Ms. Soriano reiterated that the Value Added Tax is 12%.

Ms. Soriano stated that the form must be submitted with the name of the bidder’s authorized representative, his/ her legal capacity, signature and the name of the company.

Ms. Soriano reiterated that bidders shall submit one (1) original and two (2) other copies of their bid. For the bid to be submitted, it has two components, the Technical and Financial Component of the bid. After the deadline for submission of bids, the BAC will convene immediately to open the bids and to conduct the preliminary examination of bids following the non-discretionary “pass/fail” criterion. Only those whose Technical Component has been rated as passed will be considered in the next evaluation phase, which is the opening of the Financial Component of the bid.

4.3 Bid Evaluation

After the preliminary examination of bids, the BAC will be conducting a detailed evaluation. During detailed evaluation, the completeness of the bid and arithmetical corrections will be checked. The bids will then be ranked and the bidder with the Lowest Calculated Bid will be notified that it will undergo post-qualification.

4.4 Post-Qualification

The bidder with the Lowest Calculated Bid (LCB) will be notified for the conduct of post-qualification to determine if it submitted the Lowest Calculated and Responsive Bid (LCRB). During the post-qualification process, the bidder with the LCB will be required to submit the documents as provided for in the Bid Data Sheet. These documents to be submitted during post-qualification would be the latest income and business tax returns filed and paid through the BIR Electronic Filing and Payment System (EFPS) and 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.

4.5 Contract Award and Implementation

Ms. Soriano stated that once the Lowest Calculated and Responsive Bid has been determined during post-qualification, the BAC will be recommending the award of the contract to the Head of the Procuring Entity. Notice of Award will be issued to the bidder which has the LCRB.

The bidder which has the LCRB will be given ten (10) days to post a Performance Security and enter into a contract with PPMC. After the posting of Performance Security, the Notice to Proceed will be issued.

4.6 Warranties

Ms. Soriano stated that these are provided for in Section 62 of the 2016 Revised IRR of RA 9184.

4.7 Offenses and Penalties

Ms. Soriano asked Ms. Bada to discuss the Offenses and Penalties. Ms. Bada 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

Ms. Soriano stated that bidders will be given the opportunity to raise queries and all of BAC's responses to queries will be formalized through the issuance of Supplemental/Bid Bulletin. The BAC will be answering queries during the pre-bid conference, but the answers will not change, amend or revise the Bidding Documents unless these answers will be formalized in a Supplemental/Bid Bulletin. Bidders have ten (10) calendar days prior to the submission of bids to raise queries. Bidders are given up to February 21, 2025 to raise their queries in writing addressed to the BAC.

Ms. Soriano reiterated that bidders shall raise queries in writing and send these through the official e-mail address of the BAC Secretariat. The BAC has seven (7) calendar days prior to the submission of bids or until February 24, 2025 to issue a Supplemental/Bid Bulletin. The Supplemental/Bid Bulletin will be posted on the PhilGEPS and PPMC website. It is the responsibility of the prospective bidders to inquire about or secure the Supplemental/Bid Bulletin.

4.9 No Contact Rule

Ms. Soriano emphasized the No Contact Rule, especially when bids are already opened. During Bid Evaluation, the BAC may request for clarification through the BAC Secretariat, but only in so far as the documents which were already submitted.

4.10 GPPB Resolutions No. 03-2018 and GPPB Circular No. 02-2018

Ms. Soriano enumerated the common reasons for failed bidding, to wit:

- Bidders should ensure that their PhilGEPS Certificate of Platinum Membership is updated. It is important that the annexes of the PhilGEPS Certificate of Registration are valid and current. It is the bidder's responsibility to update these documents as annexes to the PhilGEPS Registration Certificate. There were instances wherein the bidders failed to update their Audited Financial Statement or Tax Clearance.
- For Form 3, Statement of Single Largest Completed Contract, bidders must take note of the needed attachment. The Certificate of Acceptance or Inspection and Acceptance Report or equivalent document must be attached.
- Regarding the serial number of commission of the Notary Public, there has already been Supreme Court rulings regarding this matter. Bidders should ensure that their lawyers will include the serial number of commission in the notarization of the Bid Securing Declaration and Omnibus Sworn Statement and inform them where it is indicated.
- For Form 5, Conformity with the Technical Specifications, bidders must comply with all the specifications in Form 5. The Form 5 must be supported by evidence. Evidence shall be in the form of manufacturer's un-amended sales literature, unconditional statements of specification and compliance issued by the manufacturer, samples, independent test data etc., as appropriate. A statement that is not supported by evidence or is subsequently found to be contradicted by the evidence presented will render the Bid under evaluation liable for rejection.
- Ms. Soriano emphasized that even if a bidder has been declared as "passed" during the preliminary examination of bids, bidder will still be subjected to post-qualification. During the post-qualification of bids, a bidder can still be rated as "failed" if there will

be findings against the veracity, authenticity, validity, completeness and sufficiency of documents submitted. During the period of post-qualification, bidders are not allowed to submit additional documents to correct or supplement what have already been submitted during the bid opening.

- Late submission of bids. Bidders do not have to wait until September 17, 2024, 10:00 am to submit the bid. There have been instances where a bidder submitted their bid a minute after the deadline.
- Failure to sign every page of the Bid Form is a ground for being declared as "failed."
- Bids received in excess of the ABC shall be automatically rejected.

V. REQUEST FOR CLARIFICATIONS/QUESTIONS AND ANSWERS

Ms. Soriano invited requests for clarifications or queries from the prospective bidders.

Ms. Soriano inquired whether, aside from the representative of Evercon Builders and Equipment Corporation, there were other prospective bidders who attended the Pre-Bid Conference. In response, Ms. Bandolin stated that a certain Ms. Lolita Ong was present in the meeting room.

Following this, Ms. Soriano requested Ms. Ong to identify herself for proper acknowledgment. However, Ms. Ong did not respond. Additionally, Ms. Bandolin mentioned that she had also sent a message to Ms. Ong via chat, but she did not receive any reply.

The following queries were raised and answered by the Bids and Awards Committee.

1. From Ms. Shirley Lagura of Evercon Builders and Equipment Corporation

Query: Regarding the Technical Specification, based on your technical specifications, you require a Maximum Output Voltage of 758 Volts. Our specification provides 757 Volts with a control voltage of 24-60 VDC. Kindly confirm if our specification meets your requirements.

Answer: Ms. Soriano stated that the Technical Working Group will check the Technical Specifications and this will be answered through a Supplemental/ Bid Bulletin.

2. From Ms. Shirley Lagura of Evercon Builders and Equipment Corporation

Query: Your specifications indicate that the brightness should have a 5-step brightness control. However, we will be offering a 7-step brightness control, which can be adjusted to 5 steps using the remote control desk. Kindly confirm if this meets your specifications.

Answer: Ms. Soriano stated that if the bidder will be offering a more superior specifications, this will be accepted by PPMC. Ms. Soriano further stated that the final response will be through the issuance of a Supplemental/Bid Bulletin.

3. From Ms. Shirley Lagura of Evercon Builders and Equipment Corporation

Query: Regarding the specifications of the Constant Current Regulator, your specifications indicate 5 intensity, and we will offer 7 intensity, but this can still be used through the remote. Kindly confirm if this meets your specifications.

Answer: Ms. Soriano asked the bidder to put in writing all her queries since her questions are technical, so that the TWG and the BAC can review the technical specifications. This will allow the BAC to address all the queries properly.

4. From Ms. Shirley Lagura of Evercon Builders and Equipment Corporation

Query: Under ITB Clause 21.2 of the Bid Data Sheet, are the submission of the additional contract documents need to be submitted during post-qualification?

Answer: These are not required to be submitted during post-qualification. These are documents that need to be submitted before signing the contract. Winning bidder will be properly notified when to submit the contract documents.

5. From Ms. Shirley Lagura of Evercon Builders and Equipment Corporation

Query: Are we allowed to conduct site inspection?

Answer: Ms. Soriano stated that bidders may conduct inspection from Mondays to Fridays, from 8:00 AM to 5:00 PM.

Ms. Soriano stated that if there are further questions, bidders are allowed to raise them ten (10) days prior to March 4, 2025. Bidders are given up to February 21, 2025 to raise their queries in writing addressed to the BAC.

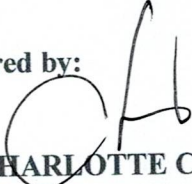
The BAC is allowed to issue a Supplemental/Bid Bulletin at least seven (7) days prior to the submission and opening of bids which will be until February 24, 2025.

Ms. Soriano emphasized that it is the responsibility of the bidders to secure the Supplemental/Bid Bulletin. She also stated that the minutes of the Pre-bid Conference will be posted on the PPMC website. A recording of the Pre-bid Conference may also be accessed through the PPMC Facebook page.

VI. ADJOURNMENT


There being no other matters to be discussed, Ms. Soriano thanked the participants and the meeting was adjourned at 11:30 AM.

Prepared by:


MS. CHARLOTTE C. BANDOLIN
Head, BAC Secretariat

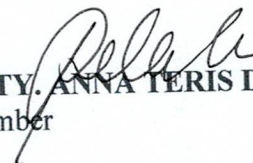
Approved by:


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