



REPUBLIC OF THE PHILIPPINES  
**DEPARTMENT OF BUDGET AND MANAGEMENT**  
GENERAL SOLANO STREET, SAN MIGUEL, MANILA

**BIDS AND AWARDS COMMITTEE**

**MINUTES OF MEETING**

August 25, 10:00 a.m.

Bids and Awards Committee Conference Room

**I. Attendance**

Vice-Chairperson: Director Andrea Celene Magtalas

Members: OIC-Director Rowel D. Escalante  
Director Ryan S. Lita  
Ms. Jean Teresita Importante  
Mr. Virgilio Umpacan, Jr.

End-User Representatives/  
Provisional Member: Dir. Thea Marie Corinne F. Palarca  
Mr. Argee Sta. Barbara

Technical Working Group: Mr. Rainer Diaz  
Ms. Jeanalyn Caceres  
Ms. Jhoana Marie Rull  
Ms. Darlene Reyes

Secretariat: Ms. Joyce Labao  
Ms. Rhonna Regina Puno  
Ms. Abegail Igna

**II. Call to Order**

The BAC Vice Chairperson called the meeting to order after determining that there is a quorum at 10:00 a.m.

The agenda for August 25, 2020 BAC Meeting is as follows:

<b>Agenda</b>	
1.	Department Order on Electronic Submission
2.	Simplified Bidding Documents
3.	Early Procurement Activities, Memorandum to Bureaus/Service/Offices
4.	Updates on the following:
	a. Records Management of BAC Documents
	b. Training Activities on RA No.9184 in coordination with the GPPB-TSO
	c. Questionnaire on the Mandatory Review

**III. Highlights of the Meeting**

Topics/Issues	Comments/Decisions/Instructions		
<p><b>1. Department Order on Electronic Submission</b></p>	<ul style="list-style-type: none"> <li>- The BAC Secretariat presented the power point presentation on the matter. The presentation is attached to this minutes for reference.</li> <li>- Following are the questions/clarifications/suggestions/agreements of the BAC on the Draft Department Order:</li> </ul>		
	Suggestions/Comments	Agreements	
	<b>A. Department Order on Electronic Submission</b>		
	<p>Is this a Department Order (DO)? Since it is a DO, did we coordinated/covered the Regional Offices (RO)? Are the ROs allowed to issue their own guidelines?</p>	<p>The suggestion of Director Angel Magatalas was to retain it as Department Order but with a statement that if the Regional Offices would like to adopt it, they will issue a Regional Office Order as such.</p>	
	<p>Did we adopt the policy statement as provided in the GPPB resolution? (in the form of whereas clauses)</p>	<p>BAC Secretariat will edit the draft as suggested.</p>	
	<p>How do you implement the provision: “Retroactively suspend the conduct of procurement activities subject to its determination of the existence of any of the grounds for its suspension, and the issuance of a corresponding Notice of Suspension.”</p>	<p>This provision was copied from the GPPB Resolution, hence, it was adopted as it is.</p>	
	<p>On the roles of Actors: “The Administrative Service – Central Records Division (AS-CRD) shall control and manage the retention. Retrieval, dissemination, and disposition of documents electronically submitted through the DMS after the entire procurement activities are concluded.”</p> <p>Under this provision, what would be the role of the AS-PMD? Specifically, when there is a physical submission? Does the Secretariat endorse it to CRD or the other way</p>	<p>If during procurement process, the documents will be under the custody and care of the AS-PMD.</p> <p>After the bidding process and for purposes of retention, all BAC Documents shall be endorsed to the AS-CRD for safekeeping.</p> <p>Any document routed through the DMS shall be endorsed to the recipient.</p> <p>Clarify in the DO that the AS-CRD will be take custody of the BAC Documents only after the procurement</p>	

Topics/Issues	Comments/Decisions/Instructions	
	around such that there would be a “centralized” system?	process and upon the endorsement of the documents by the BAC.
	As regards the responsibility of the Bidders:  Did we include that bidders are responsible with the confidentiality of the DMS account?	Confidentiality provision will be included in the DO.
	The Electronic submission is just an alternative?	Yes it is just an alternative. Bidders may still opt to submit hard/physical copies.
	What is the process to be undertaken if a bidder would like to modify the bid submission already received?	Reword the DO to make it consistent with Section 26.1 of the 2016 Revised IRR of RA No. 9184
	Can we do a simulation?	The BAC shall schedule a simulation.
<b>2. Simplified Bidding Documents</b>	<b>B. Simplified Philippine Bidding Documents</b>	
	<b>Comments/Suggestions</b>	<b>Agreements</b>
	<p>Highlights: Parts of the 5<sup>th</sup> Edition Bidding Documents that were removed in the latest edition (6<sup>th</sup> Edition)</p> <ol style="list-style-type: none"> <li>1. Special Conditions of Contract for General Conditions of Contract Clause 6.2 on “Insurance”.</li> <li>2. Biding Forms</li> <li>3. Copy of Omnibus Sworn Statement</li> <li>4. Copy of Bid Securing Declaration Form</li> </ol> <p>On SLCC: On the 6<sup>th</sup> Edition, the following requirements were also removed:</p> <ul style="list-style-type: none"> <li>- End user acceptance or official receipt or sales invoice issued for the contract, if completed, which shall be attached to the statements.</li> </ul>	<p>For some items, that cannot be resolved during the BAC discussion, it is agreed that the BAC will seek clarification from the GPPB-TSO.</p> <p>This include items such as:</p> <ol style="list-style-type: none"> <li>1. On SLCC, if we can retain the required attachments.</li> <li>2. Format on Omnibus Sworn Statement and Bid Securing Declaration – can it rephrased, modified or revised based on the discretion of the BAC?</li> <li>3. Can we retain some provision of the 5<sup>th</sup> Edition Phil. Bidding Documents</li> </ol> <p>For items that can be resolved internally, this can be adopted already.</p>

Topics/Issues	Comments/Decisions/Instructions	
<b>3. Records Management of DBM BAC Documents</b>	<b>C. Records Management of DBM BAC Documents</b>	
	<p>Agreements with Administrative Service – Central Records Division (AS-CRD)</p> <p>1. The BAC Secretariat will officially transmit all original Procurement-related Documents to the AS-CRD on an agreed upon period/frequency.</p> <p>2. BAC Records shall be considered as Permanent Records under the Records Disposition Program.</p> <p>3. BAC Records will be kept in a designated and secured are to be identified by the AS-CRD.</p> <p>4. BAC Secretariat shall also scan and keep electronic copies of all records transmitted to the AS- CRD.</p> <p>5. Any person/entity requesting for a copy of any BAC documents shall formally write a letter to the BAC. The release of which shall be subject to the BAC Chairperson’s approval</p>	<p>All items as recommended by the BAC TWG and Secretariat was adopted.</p>
<b>4. Training Activities on RA No.9184 in coordination with the GPPB-TSO</b>	<b>D. Training Activities on RA No.9184 in coordination with the GPPB-TSO</b>	
	<p>Program Details:</p> <ul style="list-style-type: none"> <li>- Three (3)-day course</li> <li>- Day 1 and 2 will be facilitated and delivered by the GPPB –TSO, while Day 3 will be delivered by DBM Resource Persons.</li> <li>- Training hours: Three hours day.</li> <li>- Target Schedule: September 2020</li> </ul> <p>Platform – Zoom</p>	<p>The BAC members agreed to raise to the BAC Chairperson the apparent inconsistencies of NBC 517 and the 2016 Revised Implementing Rules and Regulations of RA No. 9184.</p>

Topics/Issues	Comments/Decisions/Instructions	
	<p>Topics to be discussed:</p> <ol style="list-style-type: none"> <li>1. Procurement Planning and Monitoring</li> <li>2. Alternative Methods of Procurement</li> <li>3. Termination of Contracts Guidelines</li> <li>4. Negotiated Procurement – Emergency Cases</li> </ol> <p>DBM Specific Training</p> <ol style="list-style-type: none"> <li>1. Linkage Strategic Planning, Budget Proposal, PPMP, and Procurement Planning.</li> <li>2. PPMP Preparation</li> <li>3. Preparation and Processing of Purchase Request</li> <li>4. Roles and Responsibilities of End-Users</li> </ol>	
<b>5. Draft Questionnaire on the Mandatory Review</b>	<b>E. Draft Questionnaire on the Mandatory Review</b>	
	<p>The purpose of the questionnaire is to identify the issues and concerns that may contribute to the success or failure of a bidding process from the perspective of the bidders.</p> <p>Suggestions:</p> <ol style="list-style-type: none"> <li>1. Provide the specific project title in the form</li> <li>2. Group questions into categories (e.g. bid documents preparation etc.) or Randomized?</li> </ol>	<p>The TWG will send out and evaluate/assess the questionnaire in collaboration with the End-users within two (2) days after the failure of bid.</p>
<b>6. Preparation for the Early Procurement Activities</b>	<b>F. Preparation for the Early Procurement Activities</b>	
	<p>Do we allow them to update their TORs?</p>	<p>Yes, specially, if there was a change in the proposed budget versus the NEP.</p> <p>Finance Service will transmit the PPMPs to the BAC and will note the budget approved for the project.</p>

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<p><b>7. Memorandum from the Administrative Service (AS) Re: Supply, Delivery, Fabrication, Installation, and Commissioning of Various Air-conditioning Units and Automatic Voltage Regulators, and other Accessories</b></p>		<p>BAC Secretariat shall consolidate the FS endorsed PPMPs into an Indicative Annual Procurement Plan</p>						
	<p>G. Memorandum from the Administrative Service (AS) Re: Supply, Delivery, Fabrication, Installation, and Commissioning of Various Air-conditioning Units and Automatic Voltage Regulators, and other Accessories</p> <p>(Note: Memorandum is attached for reference)</p>							
	<p>Background:</p> <p>The implementation of the project may be until CY 2021 based on timelines. Hence, the AS were requested to communicate to the BAC their decision to pursue or not the project considering procurement and implementation timeline and also the budget/fund validity.</p> <p>However, the tenor of the memorandum is that AS is requesting the BAC to give <i>“guidance regarding the legally allowable period available to the AS within which to implement and complete the proposed said project.”</i></p>	<p>The BAC gives the following guidance:</p> <ol style="list-style-type: none"> <li>1. AS should have referred the matter to the Legal Service or refer to the NBC 578 as guide. It should be the AS deciding how many months is needed to complete/ implement the project.</li> <li>2. The AS should give the BAC a proposal and not ask the BAC to decide for them.</li> <li>3. Revise the memorandum to indicate the proposal/recommendation of the AS for the implementation period.</li> </ol>						
<p><b>8. BAC Action Items</b></p>	<table border="1"> <thead> <tr> <th data-bbox="639 1574 1042 1608">Project</th> <th data-bbox="1042 1574 1436 1608">To Do</th> </tr> </thead> <tbody> <tr> <td data-bbox="639 1608 1042 1850"> <p>Department Order (DO) on the Electronic Submission of Bids</p> </td> <td data-bbox="1042 1608 1436 1850"> <ol style="list-style-type: none"> <li>1. Revise DO based on BAC Discussion</li> <li>2. Prepare Information Dissemination for Pre-Bid and for Posting</li> <li>3. Setup a Simulated Bidding for Next Week</li> </ol> </td> </tr> <tr> <td data-bbox="639 1850 1042 2051"> <p>Simplified Bidding Documents</p> </td> <td data-bbox="1042 1850 1436 2051"> <p>Prepare draft letter to GPPB-TSO which will cover 2 main topics: (Send to Members for Comments)</p> <ol style="list-style-type: none"> <li>1. Request for guidance on items which were</li> </ol> </td> </tr> </tbody> </table>		Project	To Do	<p>Department Order (DO) on the Electronic Submission of Bids</p>	<ol style="list-style-type: none"> <li>1. Revise DO based on BAC Discussion</li> <li>2. Prepare Information Dissemination for Pre-Bid and for Posting</li> <li>3. Setup a Simulated Bidding for Next Week</li> </ol>	<p>Simplified Bidding Documents</p>	<p>Prepare draft letter to GPPB-TSO which will cover 2 main topics: (Send to Members for Comments)</p> <ol style="list-style-type: none"> <li>1. Request for guidance on items which were</li> </ol>
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		<p>removed in the Bid Docs and are not in the IRR  Ex: SLCC was removed from the Bid Docs but the same is only cited in the IRR specifically under Infra Projects</p> <p>2. Confirmation of the proposed internal resolution of some items which were removed from the Bid Docs  Ex. Pro-rated Bid Fee for Lots</p>
	On NBC 517/RA 9184	UJBA Consultation: NBC 517 on the creation of procurement units prescribes that contract management is lodged under created units.
Questionnaire for Bidders for Mandatory Review		<p>1. Revise Questionnaire based on BAC Discussion.</p> <p>2. Adopt the following process: (1) BAC Sec to provide bidder details (from PreBid and PhilGEPS) to TWG; (2) TWG to Send Out; and (3) End-user to consider feedback, then report to BAC.</p>
Early Procurement Activities: Preparatory Activities		<p>1. Wait for FS Transmittal of PPMP and NEP Details</p> <p>2. Draft Memo to BSOs for confirmation/updating</p>
BAC Documents: Records Management		Effect Agreement with CRD

**IV. Adjournment**

There being no other matters to be discussed, the meeting was adjourned at 12.30 p.m.

Prepared by:

Noted by:

**Joyce D. Labao**  
Secretariat

**Director ANDREA CELENE MAGTALAS**  
Vice-Chairperson