



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

**BIDS AND AWARDS COMMITTEE**

**MINUTES OF MEETING**

November 10, 2020, 9:30 a.m.

Bids and Awards Committee Conference Room

**I. Attendance**

Chairperson Undersecretary Janet B. Abuel  
Vice-Chairperson: Director Andrea Celene M. Magtalas  
Members: OIC Assistant Director Rosemarie Pagala  
OIC Director Rowel Escalante  
Mr. Virgilio Umpacan, Jr.

End-User Representatives/  
Provisional Member: Ms. Jeramie Simbre  
Director Vivien Labastilla  
Ms. Lourdes Bayaton-Monte  
Mr. Neil Sandoval  
Mr. Marissa Santos

Technical Working Group: Mr. Rainer Diaz  
Ms. Jeana Lyn Caceres  
Atty. Keith Francis Briones  
Atty. Madelaine Meris  
Ms. Jhoana Marie Rull  
Ms. Janina Papa  
Ms. Darlene Reyes  
Mr. George Sotelo

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

Bidders Present: For the Project:  
  
Supply and Delivery of Kyocera Consumables  
Ms. Luanne Subion, Philcopy Corp (Philcopy)  
Mr. Gomer Lagmay, Philcopy  
Mr. JC Gascon, Philcopy

**II. Call to Order**

The BAC Chairperson called the meeting to order after determining that there is a quorum at 9:30 a.m.

The agenda for November 10, 2020 BAC Meeting is as follows:

<b>Agenda</b>	
A. Post Qualification Report	1. Supply, Delivery, Fabrication, Installation, Testing, and Commissioning of Various Air-conditioning Units, Automatic Voltage Regulators, and other Accessories for the DBM Central Office
B. Pre-Bid Conference	1. Renewal of Licenses for the Subscription of Google Suite, Early Procurement Activity (EPA)
C. Negotiation Meeting (Direct Contracting)	1. Supply and Delivery of Kyocera Printer Consumables for the 4 <sup>th</sup> Quarter of CY 2020 (Philcopy Corporation)
D. Pre-procurement Conference	1. Printing of Various DBM Publications and Information Materials (EPA) 2. Supply and Delivery of Steel Racks (EPA)
E. Other Matters	

**III. Highlights of the Meeting**

<b>Topics/Issues</b>	<b>Comments/Decisions/Instructions</b>																				
<b>A. Post Qualification Report</b>  1. Supply, Delivery, Fabrication, Installation, Testing, and Commissioning of Various Air-conditioning Units, Automatic Voltage Regulators, and other Accessories for the DBM Central Office	<ul style="list-style-type: none"> <li>- The BAC Secretariat provided a brief background of the project.</li> <li>- The BAC acknowledged Ms. Janina Papa to present the Post Qualification Report</li> <li>- The summary of the report is as follows:</li> </ul> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Name of Bidder</td> <td>Aequus Enterprise</td> </tr> <tr> <td>Rank in the list of bids</td> <td>1</td> </tr> <tr> <td>Period of Post Qualification</td> <td>November 4-9, 2020</td> </tr> <tr> <td colspan="2"><b>Eligibility Documents</b></td> </tr> <tr> <td>1. PhilGEPS Registration</td> <td>Complying Platinum Member Certificate of Registration valid until June 30, 2021</td> </tr> <tr> <td>2. Audited Financial Statement</td> <td>Complying Date of filling is on June 15, 2020</td> </tr> <tr> <td>3. Mayor's Permit</td> <td>Complying Valid until December 31, 2020</td> </tr> <tr> <td>4. DTI/SEC Registration</td> <td>Complying DTI certificate of registration valid until February 8, 2023</td> </tr> <tr> <td>5. Tax Clearance</td> <td>March 12, 2021</td> </tr> <tr> <td colspan="2"><b>Technical Documents</b></td> </tr> </table>	Name of Bidder	Aequus Enterprise	Rank in the list of bids	1	Period of Post Qualification	November 4-9, 2020	<b>Eligibility Documents</b>		1. PhilGEPS Registration	Complying Platinum Member Certificate of Registration valid until June 30, 2021	2. Audited Financial Statement	Complying Date of filling is on June 15, 2020	3. Mayor's Permit	Complying Valid until December 31, 2020	4. DTI/SEC Registration	Complying DTI certificate of registration valid until February 8, 2023	5. Tax Clearance	March 12, 2021	<b>Technical Documents</b>	
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Topics/Issues	Comments/Decisions/Instructions	
	6. Statement of all ongoing private and government contract	Complying
	7. Statement of Single Largest Complete Contract	Submitted a copy of Purchase Order issued by Grandconst Builders Corporation in the amount of P20,000,000.00 Also submitted is a Certificate of acceptance signed by Susana Bautista, Managing Officer of Grandconst Builders.
	8. Bid Security	Complying Submitted a notarized Bid Securing Declaration signed by Ms. Magnolia Xenia Almoradie
	9. Compliance with Section VI Schedule of Requirements	Complying
	10. Compliance with Section VII Technical Specification	Complying
	11. Omnibus Sworn Statement	Complying Submitted a notarized OSS signed by Ms. Krizette Kayna Lorenzon
	12. Authority of the Signatory	Complying Submitted a Special Power of Authority authorizing Ms. Krizette Kayna Lorenzo Signed by Ms. Magnolia Xenia T. Almoradie the General Manager and Proprietor
	13. Net Financial Contracting Capacity	Complying NFCC is computed at P132,385,265.00
	14. Post Qualification Documents: Income Tax Return Business Tax Return	Complying  Filed through EFPS
	15. Financial Proposal	Within the ABC Bid Price is P19,995,000.00
<ul style="list-style-type: none"> <li>- The TWG recommended the Bid Submission of Aequus to be declared as Post Qualified.</li> <li>- The BAC Chairperson directed all members of the BAC TWG to check all Legal Documents such as the Omnibus Sworn Statement, Authority of the Signatory and the like to make sure that there are no missing clauses.</li> <li>- The BAC declared Aequus Enterprise as post qualified and the Single Calculated and Responsive Bid</li> </ul>		

Topics/Issues	Comments/Decisions/Instructions				
	<ul style="list-style-type: none"> <li>- The BAC directed TWG and Secretariat to prepare for the BAC Resolution, and the corresponding Notice of Award, and Draft Contract, and Memorandum for the Secretary.</li> </ul>				
<p><b>B. Pre Procurement Conference</b></p> <p>1. Printing of Various DBM Publications and Information Materials</p>	<ul style="list-style-type: none"> <li>- The BAC Vice Chairperson Dir. Magtalas provided a brief background of the procurement projects and emphasized that the project is part of the Early Procurement Activities (EPA) and the mode of procurement is consistent with the approved Indicative APP to be Public Bidding – Framework Agreement</li> <li>- Ms. Jhoana Marie Rull, the TWG in-charge, was recognized by the BAC to lead the discussion.</li> <li>- It was explained that the objective of a pre-procurement conference is to discuss all aspects of the procurement project to include a detailed discussion on the technical specification, the basis of the ABC, funding source, the applicability and appropriateness of the mode of procurement and the milestones of the procurement activity.</li> <li>- The TWG in-charge started with a presentation of the bid documents</li> <li>- A summary of the discussion is provided below:</li> </ul> <table border="1" data-bbox="651 1055 1426 2069"> <thead> <tr> <th data-bbox="657 1055 1040 1093">Topic</th> <th data-bbox="1040 1055 1420 1093">Discussion</th> </tr> </thead> <tbody> <tr> <td data-bbox="657 1093 1040 2069">           What consisted Lots 1, 2, 3 and the corresponding budget for each Lot         </td> <td data-bbox="1040 1093 1420 2069">           As presented Lots 1,2, 3, 4, 5, and 6 consisted             Lot 1            a. 2021 People's Budget (English and Tagalog);            b. 2021 People's Budget Quick Glance (English, Tagalog, and Cebuano)            c. 2022 People's Proposed Budget            d. 2020 People's Implemented Budge             Lot 2            a. 2021 DBM Bulletin            b. 2020 DBM Annual Report             Lot 3            Printing of the Department of Budget and Management Human Resource Handbook             Lot 4            Printing of the PFM Handbook on the Budget Reform Program         </td> </tr> </tbody> </table>	Topic	Discussion	What consisted Lots 1, 2, 3 and the corresponding budget for each Lot	As presented Lots 1,2, 3, 4, 5, and 6 consisted  Lot 1 a. 2021 People's Budget (English and Tagalog); b. 2021 People's Budget Quick Glance (English, Tagalog, and Cebuano) c. 2022 People's Proposed Budget d. 2020 People's Implemented Budge  Lot 2 a. 2021 DBM Bulletin b. 2020 DBM Annual Report  Lot 3 Printing of the Department of Budget and Management Human Resource Handbook  Lot 4 Printing of the PFM Handbook on the Budget Reform Program
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Topics/Issues	Comments/Decisions/Instructions	
		<p>Lot 5 Printing of PFM Brochure for the Budget Reform Program</p> <p>Lot 6 Printing of the 85th DBM Anniversary Souvenir Program</p>
	<p>Framework Agreement as the Mode of Procurement</p>	<p>Provisions of RA 9184 and its 2016 Revised Implementing Rules and Regulations and related issuances.</p> <p>Based on the rules, the procuring entity is not bound to call items in its list if not needed.</p>
	<p>Bid Documents</p>	<p>Instruction to Bidders, Bid data sheet, General conditions of contract (GCC), and Special Conditions of Contract highlighting applicable sections of the bidding documents pertaining to Framework Agreement.</p> <p>The TWG in-charge also discussed the Schedule of Requirements and the Technical Specifications of the project.</p>
	<p>Framework Agreement List</p>	<p>Review the language for consistency and uniformity</p>
	<p>Continuation: “Lots” under the context of Framework Agreement</p>	<p>Director Magtalas reported to the BAC the opinion of the GPPB-TSO regarding “lots” in the context of Framework Agreement (FA), saying that under FA, there should be only one contract.</p> <p>Given this information, Dir. Magtalas provided the following possible options:</p>

Topics/Issues	Comments/Decisions/Instructions	
		<p>1. Revising the Indicative APP to reflect separate and several “FA” projects.</p> <p>2. Lump all the items of the six lots into one FA list/project.</p> <p>3. Review the projects, and given the nature, determine whether FA is really feasible. Public bidding with several lots may be the best option, in which case revision of the Indicative APP is still necessary.</p> <p>The BAC unanimously voted to adopt the third option.</p> <p>The end-user, represented by Dir. Vivien Labastilla also agreed to adopt the third recommendation.</p>
	On the projects under FPRB	The BAC suggested to segregate it from the projects and return to the Small Value Procurement considering that the content and the timeliness cannot yet be determined at this point with certainty.
	On the HR Handbook	Ms. Bayaton-Monte reported that the Handbook has not yet been finalized.
	<ul style="list-style-type: none"> <li>- The Chairperson inquired about the basis of ABC, how was it computed and how did the end-user arrived at the ABC. The Chairperson instructed the TWG to confirm and ensure that the ABC is based on a valid market research or/and any other factual basis and the computation is correct.</li> <li>- It was agreed that end-users will no longer need to submit a new PPMP. The revision will be anchored on the premise that the modification is based on the more applicable mode of procurement as reviewed by the BAC.</li> <li>- For this project. The BAC agreed to change the mode of procurement into Public Bidding with “lots”.</li> <li>- Ms. Jhoana Marie Rull was instructed to prepare the Bid Documents based on the agreements.</li> </ul>	

Topics/Issues	Comments/Decisions/Instructions												
2. Supply and Delivery of Steel Racks	<ul style="list-style-type: none"> <li>- Ms. Janina Papa, the TWG in-charge, was recognized by the BAC to lead the discussion.</li> <li>- The BAC explained that the objective of a pre-procurement conference is to discuss all aspects of the procurement project to include a detailed discussion on the technical specification, the basis of the ABC, funding source, the applicability and appropriateness of the mode of procurement and the milestones of the procurement activity.</li> <li>- The TWG in-charge started the discussion by presenting the draft bid documents.</li> <li>- A summary of the discussion is provided below:</li> </ul> <table border="1" data-bbox="651 640 1430 2016"> <thead> <tr> <th data-bbox="651 640 1038 678">Topic</th> <th data-bbox="1042 640 1430 678">Discussion</th> </tr> </thead> <tbody> <tr> <td data-bbox="651 683 1038 882">On the Invitation to Bid (ITB)</td> <td data-bbox="1042 683 1430 882">The TWG in-charged mentioned about the ABC, the funding Source and emphasized that the project is part of the Early Procurement Activity.</td> </tr> <tr> <td data-bbox="651 887 1038 1227">On the Bid Data Sheet</td> <td data-bbox="1042 887 1430 1227">For the Single Largest Completed Contract (SLCC), similar Project shall refer to the supply and delivery of steel racks and must have been completed within two (2) years prior to the deadline for the submission and receipt of bids.</td> </tr> <tr> <td data-bbox="651 1232 1038 1435">On the General Conditions of Contract and Special Conditions of Contract</td> <td data-bbox="1042 1232 1430 1435">Terms of payment shall be one-time payment after completion and acceptance of the requirements for the project.</td> </tr> <tr> <td data-bbox="651 1440 1038 1742">The Schedule of Requirements</td> <td data-bbox="1042 1440 1430 1742"> <p>Item 1 shall be delivered within sixty (60) days upon receipt of the Notice to Proceed (NTP).</p> <p>Item 2 shall be staggered delivery within thirty (30) days upon receipt of the NTP.</p> </td> </tr> <tr> <td data-bbox="651 1747 1038 2016">The Basis of ABC</td> <td data-bbox="1042 1747 1430 2016">The BAC Chairperson directed the TWG to include as part of the discussion and as part of evaluation the basis and computation of ABC.</td> </tr> </tbody> </table>	Topic	Discussion	On the Invitation to Bid (ITB)	The TWG in-charged mentioned about the ABC, the funding Source and emphasized that the project is part of the Early Procurement Activity.	On the Bid Data Sheet	For the Single Largest Completed Contract (SLCC), similar Project shall refer to the supply and delivery of steel racks and must have been completed within two (2) years prior to the deadline for the submission and receipt of bids.	On the General Conditions of Contract and Special Conditions of Contract	Terms of payment shall be one-time payment after completion and acceptance of the requirements for the project.	The Schedule of Requirements	<p>Item 1 shall be delivered within sixty (60) days upon receipt of the Notice to Proceed (NTP).</p> <p>Item 2 shall be staggered delivery within thirty (30) days upon receipt of the NTP.</p>	The Basis of ABC	The BAC Chairperson directed the TWG to include as part of the discussion and as part of evaluation the basis and computation of ABC.
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	Next Steps	Dir. Magtalas informed the body that the next steps will be the posting of the Bid Documents.						
<b>C. Pre Bid Conference</b>  1. Renewal of Licenses for the Subscription of Google Suite (EPA)	<ul style="list-style-type: none"> <li>- The BAC Secretariat reported that there were no prospective bidders who attended the pre-bid conference.</li> </ul>							
<b>D. Negotiation Meeting</b>	<ul style="list-style-type: none"> <li>- BAC Secretariat provided brief background of the project.</li> <li>- Ms. Abie Igna was recognized by the BAC to facilitate the negotiation meeting with Philcopy Corp.</li> <li>- Philcopy reported that they were able to check 26 Kyocera units of the DBM and out of this number, 15 are identified for repair. He mentioned that Philcopy will not charge for the repair and assessment (labor only) of the said units identified for repair.</li> <li>- Mr. Gomer Lagmay said that the cost for the parts to be replaced cannot be waived because these are considered “consumables”.</li> <li>- Mr. JC Gascon mentioned that Phicopy is offering “free” printers, to which the Chairperson inquired what would be the conditions for the free printers. Philcopy replied that lock-in period is not applicable.</li> <li>- Mr. Gascon added that they can offer minimum of fifty (50) units of free printers to DBM.</li> <li>- Dir. Magtalas summarized the next steps for the project. Philcopy was requested to submit a revised Quotation to reflect all offers as discussed, and such other as applicable. The revised quote shall include the free service and free printers as discussed.</li> </ul>							
<ul style="list-style-type: none"> <li>- <b>Other Matters</b></li> </ul> <b>Summary of BAC Action Items</b>	<ul style="list-style-type: none"> <li>- The BAC discussed Early Procurement Activities (EPA) projects and their status and noted that revisions to the indicative APP maybe necessary to meet the required fifty 50% based on the Performance Based Bonus Guidelines.</li> </ul> <table border="1" data-bbox="651 1603 1426 2051"> <thead> <tr> <th data-bbox="651 1603 1042 1641">Project</th> <th data-bbox="1042 1603 1426 1641">To Do</th> </tr> </thead> <tbody> <tr> <td data-bbox="651 1641 1042 1917">Supply, Delivery, Fabrication, Installation, Testing, and Commissioning of Various Air-conditioning Units, Automatic Voltage Regulators, and other Accessories for the DBM Central Office</td> <td data-bbox="1042 1641 1426 1917">The TWG and Secretariat were instructed to prepare Memorandum for the Secretary (MFS), BAC Resolution for Award, Notice of Award (NOA) and Contract.</td> </tr> <tr> <td data-bbox="651 1917 1042 2051">NOSCA under Agency to Agency</td> <td data-bbox="1042 1917 1426 2051">The Secretariat are instructed to prepare MFS, BAC Resolution for Award, NOA, Memorandum of</td> </tr> </tbody> </table>		Project	To Do	Supply, Delivery, Fabrication, Installation, Testing, and Commissioning of Various Air-conditioning Units, Automatic Voltage Regulators, and other Accessories for the DBM Central Office	The TWG and Secretariat were instructed to prepare Memorandum for the Secretary (MFS), BAC Resolution for Award, Notice of Award (NOA) and Contract.	NOSCA under Agency to Agency	The Secretariat are instructed to prepare MFS, BAC Resolution for Award, NOA, Memorandum of
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		Agreement, Notice to Proceed
Printing of Various DBM Publications and Information Materials		Posting is deferred until modification of the Indicative APP.
Supply and Delivery of Steel Racks		The Bid Documents was approved for posting
Renewal of Licenses for the Subscription of Google Suite		TWG was instructed to check if Supplemental Bid Bulletin in necessary
Supply and Delivery of Kyocera Printer Consumables for the 4 <sup>th</sup> Quarter of CY 2020		The TWG was instructed to prepare MFS, BAC Resolution for Award, NOA, Contract upon the submission of the Final Quotation by Philcopy
ISO Certification		The end-user were advised to request Multi Year Contractual Authority (MYCA) immediately and prepare the PPMP.
Administrative Matter: EPA Plans		<ol style="list-style-type: none"> <li>1. End-users shall prepare a PPMP for laptops for the revised Indicative APP</li> <li>2. The TWG in charge shall coordinate with the end-users regarding plans for the project "Printing of Various DBM Publications" specifically on the projects of the FPRB and the BITS.</li> <li>3. The Secretariat and Dir. Magtalas shall review the New Schedule for Remaining EPA Projects</li> <li>4. Administrative Service shall present to the BAC the study regarding Colored Printers</li> <li>5. The TWG and the End-users were instructed to check on the project "Repair and Maintenance of Motor Vehicle" for possible revision of the mode of procurement.</li> <li>6. End users shall prepare PPMP for the revised Indicative APP for projects which were previously identified as Framework Agreement</li> </ol>

#### **IV. Adjournment**

There being no other matters to be discussed, the meeting was adjourned at 4:00 p.m.

Prepared by:

Noted by:

**Joyce D. Labao**  
Secretariat

**Director ANDREA CELENE MAGTALAS**  
Vice-Chairperson