



Republic of the Philippines  
**ENERGY  
REGULATORY  
COMMISSION**

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**BIDS AND AWARDS COMMITTEE (BAC)  
MINUTES OF MEETING**

**19 October 2020 (Monday) 3:00 P.M.**

Through Videoconferencing via MS Teams

[https://teams.microsoft.com/l/meetup-](https://teams.microsoft.com/l/meetup-join/19%3ae19c0c5c1011464e8f73ae576cc7bc02%40thread.tacv2/1602853364973?context=%7b%22Tid%22%3a%2234a3c75d-10fe-482b-9220-04df09540e89%22%2c%22Oid%22%3a%221613a187-8a0f-4778-8f30-c1ed01f12e10%22%7d)

[join/19%3ae19c0c5c1011464e8f73ae576cc7bc02%40thread.tacv2/1602853364973?context=%7b%22Tid%22%3a%2234a3c75d-10fe-482b-9220-04df09540e89%22%2c%22Oid%22%3a%221613a187-8a0f-4778-8f30-c1ed01f12e10%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ae19c0c5c1011464e8f73ae576cc7bc02%40thread.tacv2/1602853364973?context=%7b%22Tid%22%3a%2234a3c75d-10fe-482b-9220-04df09540e89%22%2c%22Oid%22%3a%221613a187-8a0f-4778-8f30-c1ed01f12e10%22%7d)

Subject Matter : Pre-Bid Conference  
Project : *Bandwidth Manager*  
Mode of Procurement : Competitive Bidding  
Reference No. : Lot No. 2020-24

Attendees:

1. BAC Members, BAC Technical Working Group, and BAC Secretariat:

Name	Position
Heiddi Venecia R. Barrozo	Chairperson, BAC
Jose Romulo L. Castro	Member, BAC
Marina C. Bugayong	Member, BAC
Amabelle D. Del Rosario	Vice-Chairperson (CB), BAC TWG
Jean Astrid C. Francisco	Vice-Chairperson (AM), BAC TWG
Kent Fred B. Latorre	Member, BAC TWG
Marie Alexis Denise S. Gayon	Vice-Chairperson (CB), BAC Secretariat
Primabelle S. Gobantes	Member, BAC Secretariat
Kio Paulo H. San Andres	BAC Support
Lovelyn M. Alegre	BAC Support
Rosalyn T. Flores	BAC Support

2. End-User:

Name	Position
Teofilo G. Arbalate, Jr.	Information Technology Officer III (PPIS-MSD)
Anna Marie S. Laqui	Computer Maintenance Technologist III (PPIS-MSD)

### 3. Prospective Bidder:

Name	Company
Marco Miranda	Solutions Partner Inc.

#### I. Call to Order

The Pre-Bid Conference for the *Procurement of Bandwidth Manager* with an Approved Budget for the Contract (ABC) of One Million Five Hundred Thousand Pesos (PhP1,500,000.00), was called to order at twenty three minutes past three o'clock in the afternoon (3:23 P.M.) through videoconferencing via MS Teams, with BAC Chairperson Heiddi Venecia R. Barrozo as the presiding officer.

#### II. Determination of Quorum

The BAC Secretariat Vice-Chairperson (CB) Marie Alexis Denise S. Gayon Cuanan confirmed the presence of a quorum with the attendance of BAC Chairperson Barrozo and BAC Members, Atty. Marina C. Bugayong and Atty. Jose Romulo L. Castro.

After having established the required quorum, the BAC Secretariat Vice-Chairperson (CB) likewise acknowledged the presence of the BAC Technical Working Group (TWG), BAC Secretariat, BAC Support, as well as the representatives from the end-user and the prospective bidder. Invitations to observe the Pre-Bid Conference were sent to Bishops-Businessmen's Conference for Human Development (BBC), Commission on Audit (COA), Philippine Chamber of Commerce and Industry (PCCI), Procurement Watch Inc. (PWI), and Transparency Accountability Network (TAN). However, none of the invited observers attended the pre-bid conference despite such notice.

#### III. Proceedings

BAC Chairperson Barrozo directed the BAC Secretariat Vice-Chairperson (CB) Gayon to show on screen the Terms of Reference (TOR) of the project and briefly went over the salient features thereof.

#### IV. Question and Answers

1. **Mr. Marco Miranda** from Solutions Partner Inc. asked for a clarification regarding the provision on the Minimum Track Record under Item VI of the TOR which provides:

## V. MINIMUM TRACK RECORD

The ERC desires a Service Contractor who has completed, within the *within the last five (5) years* from the date of submission and receipt of bids, a single largest contract that is similar to the Contract to be bid. A similar contract must be a security contract the value of which must be at least fifty percent (50%) of the Approved Budget for the Contract (ABC).

He manifested that there is a difference on the number of years provided in the TOR, which stated five (5) years, as compared to the checklist attached or posted on the ERC website, which stated three (3) years.

- The BAC Chairperson clarified that considering that the ERC BAC already made use of the 6<sup>th</sup> edition of the PBD, the BAC no longer issued a checklist in excel format. The single largest contract should therefore refer to the period provided in the TOR which is five (5) years. She also manifested that there is a typographical error contained in the said TOR that shows “Security Contract” which actually refers to the “Bandwidth Manager”.
- Mr. Miranda acknowledged the clarification and manifested that they will follow what is provided in the TOR.

VI. Mr. Miranda asked for further clarification regarding the single largest contract. He explained that in their previous engagements, there are different brands or product names (i.e. Quality of Service and Load Balancing) being used but actually has the same functions as that of a Bandwidth Manager.

- The BAC Chairperson said that the difference in the brand or product names vis-à-vis their functions would have to be evaluated by the BAC. She suggested to include in the bid submission an explanation showing that the previous engagements or projects of the bidder have functions as that of a Bandwidth Manager and provide relevant documents in support thereof.

VII. Mr. Miranda asked for an extension on the delivery period given the current Covid-19 restrictions. He added that they will do their best to comply with the delivery period.

- Mr. Teofilo G. Arbalate, Jr. from the PPIS answered that the delivery period indicated in the TOR presupposes COVID-19 conditions.

- The BAC Chairperson asked and clarified from the end-user whether it is amenable to the request of the prospective bidder for an extension of the delivery period considering the Covid-19 restrictions. She added that the same will also guide the BAC on whether to issue the necessary bid bulletin.
- Mr. Arbalate manifested that the end-user will just provide data or information in relation to the delivery period to guide the BAC and other prospective bidders who may want to participate in the procurement process.

The BAC Chairperson manifested that the Deadline for Submission and Receipt of Bids is on 02 November 2020 at twelve noon (12:00 P.M.); the Opening of Bids is on the same date at three o'clock in the afternoon (3:00 P.M.); and the Bid Evaluation is also on the same date at four o'clock in the afternoon (4:00 P.M.). She further manifested that the submission of bids, through a sealed envelope, will be done physically and that the prospective bidders have the option of joining or observing the opening of bids physically or remotely through online.

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**VIII. Adjournment**

Having no more questions, discussions, and clarifications, the meeting was adjourned at forty-five minutes past three o'clock in the afternoon (03:45 P.M.).

**Approved by:**

**HEIDDI VENECIA R. BARROZO**  
*BAC Chairperson*

(TOOK NO PART)  
**SHARON O. MONTAÑER**  
*BAC Vice-Chairperson*

**MARINA C. BUGAYONG**  
*BAC Member*

(TOOK NO PART)  
**AUGUST ANTHONY N. BALUTE**  
*BAC Member*

**JOSE ROMULO L. CASTRO**  
*BAC Member*

**ATTESTED BY:**



**ARJAY LOUIE EU B. CUANAN**  
*Chairperson, BAC Secretariat*