



Republic of the Philippines
**ENERGY
REGULATORY
COMMISSION**

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

19 October 2020 (Monday) 1:00 P.M.

Through Videoconferencing via MS Teams

[https://teams.microsoft.com/l/meetup-](https://teams.microsoft.com/l/meetup-join/19%3ae19c0c5c1011464e8f73ae576cc7bc02%40thread.tacv2/1602158449718?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.tacv2/1602158449718?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.tacv2/1602158449718?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 : *MS Exchange/MS SharePoint Upgrade and Migration Services (2nd bidding)*
Mode of Procurement : Competitive Bidding
Reference No. : Lot No. 2020-23

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 ¹	Vice-Chairperson (CB), BAC TWG
Jean Astrid C. Francisco	Vice-Chairperson (AM), BAC TWG
Ferdinand A. Salviejo	Member, BAC TWG Member
Kent Fred B. Latorre	Member, BAC TWG
Marie Alexis Denise S. Gayon	Vice-Chairperson (CB), BAC Secretariat
Gjehan Mei S. Maquiling	Vice-Chairperson (AM), BAC Secretariat
Primabelle S. Gobantes	Member, BAC Secretariat
Kio Paulo H. San Andres ²	BAC Support
Lovelyn M. Alegre	BAC Support
Rosalyn T. Flores ³	BAC Support

¹ Joined the meeting at forty (40 minutes past one o'clock (1:40 P.M.)

² Joined the meeting at forty-three (43 minutes past one o'clock (1:42 P.M.)

³ Joined the meeting at forty-four (40 minutes past one o'clock (1:44 P.M.)

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 Bidders:

Name	Company
Noli L. Cura	First Data Corp.
Rodalyn A. Abruis	First Data Corp.
Rhenee Libunao	Infocentric

I. Call to Order

The Pre-Bid Conference for the *Procurement of MS Exchange/MS SharePoint Upgrade and Migration Services*, with an Approved Budget for the Contract (ABC) of One Million Pesos (PhP1,000,000.00), was called to order at twenty-two minutes past one o'clock in the afternoon (01:22 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) Atty. Marie Alexis Denise S. Gayon 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 representative from the end-user and the prospective bidders. 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 asked the BAC Secretariat Vice-Chairperson (CB) Gayon to show on screen the Terms of Reference (TOR) of the project. The BAC Chairperson briefly discussed the salient features of the TOR and reiterated that the contract period shall cover forty-four (44) days upon the receipt of the Notice to Proceed (NTP) with an approved budget of One Million Pesos (PhP1,000,000.00). She also highlighted the following parts of the TOR: a) Qualifications – particularly the necessary eligibility, experience and expertise of the prospective Contractor, b) Scope of Work, c) Terms of Payment, and c) Warranty.

IV. Question and Answers

1. **Mr. Noli L. Cura** from First Data Corporation confirmed whether the forty-four (44) days indicated in the TOR refer to “working days”.
 - The BAC Chairperson answered in the affirmative.
2. **Mr. Cura** asked if there is a possibility that the BAC will retract the award in case they win the bid. He shared that their company actually joined and participated the bidding process for the same project sometime in September 2019 and they were declared as having the Single Calculated and Responsive Bid (SCRB); however, the BAC issued a formal letter notifying them that the ERC cannot proceed with the award of the contract since it will not be beneficial to the ERC. He then asked the incumbent BAC if there is a possibility that the same scenario will happen again. He also asked if they can be excused in the payment of the current bidding documents since they already purchased the same in 2019. He further asked where they can download the bid documents. Lastly, he asked whether the submission of bid documents is required to be done physically or online.
 - The BAC Chairperson answered that the 2019 BAC has a different composition as compared to the current BAC and that the latter cannot comment on the procurement that transpired during that time. She assured the prospective bidder that the current procurement is included the APP which was approved by the Head of Procuring Entity (HoPE) and that the BAC has received a confirmation to commence the procurement activities.
 - In relation to the purchase of the current bidding documents, the BAC Chairperson explained that since it is a new procurement, their previously purchased bidding documents and other

submissions in 2019 can no longer be used. Hence, they need to purchase again the current bidding documents.

- The BAC Chairperson answered that the bid documents are available and can be downloaded at the ERC website and directed the BAC Secretariat to assist the prospective bidder.
- The BAC Secretariat Vice-Chairperson (CB) clarified that the bid documents and forms are available and can be downloaded at the GPPB website.
- The BAC Chairperson answered that the BAC is still working on the online process of submission of bids. Currently, what is being implemented is the physical submission of bids; however, the prospective bidders have the option of joining or observing the opening of the bids physically or remotely through online.

3. Ms. Rhenee Libunao from Infocentric asked if the ERC will conduct an evaluation of the prospective bidders prior to their purchase of the bidding documents. She explained that in some other agencies and LGUs like Makati City, prospective bidders are required to undergo an evaluation before they can purchase the bidding documents. On the other hand, she also asked if the BAC implements safety protocols such as swab tests or rapid tests or both for the implementation of the project.

- The BAC Chairperson answered that she is not aware of said practice observed in other government agencies and LGUs. She manifested that there is no such requirement for the ERC and that the BAC follows what is indicated in the IRR of R.A. 9184.
- Mr. Teofilo G. Arbalate, Jr. requested for the question regarding the safety protocols to be addressed through a Bid Bulletin.

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 one o'clock in the afternoon (1:00 P.M.); and the Bid Evaluation is also on the same date at two o'clock in the afternoon (2:00 P.M.).

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V. Adjournment

Having no more questions, discussions, and clarifications, the meeting was adjourned at forty-seven minutes past one o'clock in the afternoon (01:47 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