



Republic of the Philippines
**ENERGY
REGULATORY
COMMISSION**

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

07 December 2020 (Monday) 01:00 P.M.

Through Videoconferencing via MS Teams

[https://teams.microsoft.com/l/meetup-](https://teams.microsoft.com/l/meetup-join/19%3ameeting_MDUxMGlxMWQtZDK5Yi00OTNLTg0MjAtYTBhZDE4NTk4ZjUw%40thread.v2/0?context=%7b%22Tid%22%3a%220f0dac9f-433c-41ba-9f57-42be6fe671a9%22%2c%22Oid%22%3a%22638c224b-aae0-4a1f-95d8-6b417df5646d%22%7d)

[join/19%3ameeting_MDUxMGlxMWQtZDK5Yi00OTNLTg0MjAtYTBhZDE4NTk4ZjUw%40thread.v2/0?
context=%7b%22Tid%22%3a%220f0dac9f-433c-41ba-9f57-
42be6fe671a9%22%2c%22Oid%22%3a%22638c224b-aae0-4a1f-95d8-6b417df5646d%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_MDUxMGlxMWQtZDK5Yi00OTNLTg0MjAtYTBhZDE4NTk4ZjUw%40thread.v2/0?context=%7b%22Tid%22%3a%220f0dac9f-433c-41ba-9f57-42be6fe671a9%22%2c%22Oid%22%3a%22638c224b-aae0-4a1f-95d8-6b417df5646d%22%7d)

Subject Matter : Pre-Bid Conference
Project : *Supply and Delivery of Janitorial Services*
Mode of Procurement : Competitive Bidding
Reference No. : Lot No. 2020-48

Attendees:

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

Name	Position
Heiddi Venecia R. Barrozo	Chairperson, BAC
Marina C. Bugayong	Member, BAC
August Anthony N. Balute	Member, BAC
Amabelle D. Del Rosario	Vice-Chairperson (CB), TWG
Kent Fred B. Latorre	Member, TWG
Arjay Louie Eu B. Cuanan	Chairperson, BAC Secretariat
Marie Alexis Denise S. Gayon	Vice-Chairperson (CB), BAC Secretariat
Cherry Lynn S. Gonzales ¹	Member, BAC Secretariat
Primabelle S. Gobantes	Member, BAC Secretariat
Kio Paulo H. San Andres	BAC Support
Lovelyn M. Alegre	BAC Support
Rosaly T. Flores	BAC Support

2. End-User:

Name	Position
Jeric John P. Ramirez	Administrative Officer III – Finance and Administrative Service – General Services Division (FAS-GSD)

¹ Also as representative of the end-user, FAS Finance and Administrative Service (FAS)

3. Prospective Bidder:

Name	Company
JD Arivan	Euro Janitorial Services (Euro)
Elvin Rubisco	D Triumph Cleaners and Allied Services Inc. (Triumph)
Robert Buencamino	Extrasorgen Manpower and Allied Services, Inc. (Extrasorgen)
Lyn De Los Santos ²	CMPT Manpower Services (CMPT)

I. Call to Order

The Pre-Bid Conference for the *Procurement of Supply and Delivery of Janitorial Services* with an Approved Budget for the Contract (ABC) of Three Million Eight Hundred Thirty-Three Thousand Pesos (PhP3,833,000.00), was called to order at fourteen minutes past one o'clock in the afternoon (01:14 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 Chairperson, Atty. Arjay Louie Eu B. Cuanan, confirmed the presence of a quorum with the attendance of BAC Chairperson Barrozo, and BAC Members Dr. August Anthony N. Balute and Atty. Marina C. Bugayong.

After having established the required quorum, BAC Secretariat Chairperson Cuanan likewise acknowledged the presence of the Technical Working Group (TWG), BAC Secretariat and support staff, as well as the representatives from the end-user and 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), and Transparency Accountability Network (TAN). However, none of the invited observers attended the pre-bid conference despite such notice.

² Joined at twenty-eight minutes past one o'clock in the afternoon (01:28 P.M.)

III. Proceedings

The BAC Chairperson manifested at the onset that the TOR for the 2021 project is the same with the 2020 TOR.

The BAC Chairperson briefly went over the salient features of the Terms of Reference (TOR) of the project as shown on the screen such as the following: a) contract period; b) scope of the work; c) qualification of the contractor; d) minimum track record; e) approved budget for the contract (ABC); f) deliverables; g) duties and responsibilities of the contractor; h) payment scheme; and j) liquidated damages.

IV. Question and Answers

1. Both Mr. JD Arivan from Euro and Mr. Robert Buencamino from Extrasorgen manifested that they have no questions.
2. Mr. Elvin Rubiso from Triumph asked for a clarification whether they will still be required to submit the documents that were already submitted to PhilGEPS when they applied for Platinum Certification. He then asked the number of working days to be used for the entire 2021 project.
 - BAC Chairperson Barrozo clarified that they need not attach the documents which they submitted when they applied for PhilGEPS Certification. She said that the Philippine Bidding Documents (PBD) is very particular on the documents that need to be attached to the submissions. She then directed Mr. Rubisco to the Checklist of Technical and Financial Documents as attached to the PBD for guidance.
 - Ms. Del Rosario answered that for 2020 they used three hundred thirteen days (313) because of the leap year. But for 2021, its three hundred twelve days (312) since it's not leap year.
 - Mr. Elvin Rubiso manifested that in their experience they use three hundred fourteen days (314) for leap years. Otherwise, its three hundred ten (310) or three hundred thirteen (313).
 - The BAC resolved that it will just issue the necessary bid bulletin to clarify the number of days to be used for 2021.
3. Mr. Rubisco asked if they would attach on-going contracts and notice of award (NOA) for their submission of Statement of Ongoing Government

& Private Contracts Including Contracts Awarded but not yet Started. He also asked if they would use the new PhilHealth scheme since the project is for 2021. He further asked if they would use Department of Labor and Employment (DOLE) circulars as basis for the computation of the ten percent (10%) administrative fee or will they use the fee under the GPPB. He explained that prospective contractors cannot actually offer an administrative fee which is lower than 10%, otherwise, their DOLE registration may be revoked since it is considered a violation of their duly Sworn Statement of Compliance with the Labor Laws which is submitted with DOLE. Lastly, he asked if they could offer free of charge for the supplies and still comply with the contractual obligation as agreed upon.

- BAC Chairperson Barrozo answered that only the statement itself is required to be submitted.
 - BAC Vice-Chairperson Del Rosario answered in the affirmative and confirmed as to the application of new rates for PhilHealth and SSS.
 - The BAC Chairperson said that the 10% is the maximum ceiling for the administrative fee as per GPPB. However, after further discussion, the BAC resolved to take note of the question regarding the administrative fee and will issue the appropriate bid bulletin for the matter, if necessary.
 - BAC Chairperson Barrozo answered that TOR provides for the minimum requirements. Hence, the Prospective bidder can still propose a better offer if they want to.
4. Mr. Rubiso clarified if the requirement for COVID testing is for the winning bidder. He also asked if they could conduct rapid test rather than a swab test since the former is cheaper.
- BAC Chairperson Barrozo confirmed in the affirmative that the COVID testing requirement will apply for the winning bidder considering that the COVID test to be submitted must be recent.
 - Mr. Jeric John P. Ramirez from FAS-GSD answered that they prefer swab tests prior to the commencement of the contract.
 - The BAC took note of the question and will issue the appropriate bid bulletin regarding the requirement for rapid/swab COVID test, if necessary.

5. Mr. Lyn De Los Santos from CMPT asked if they should attach a copy of on-going contracts and notice of award (NOA) for their submission of Statement of Ongoing Government & Private Contracts Including Contracts Awarded but not yet Started. She also asked if they could use the previous bidding forms since there are forms available in the published bidding documents for the current procurement.
 - BAC Chairperson Barrozo reiterated that the BAC only requires the matrix or the statement itself, and the additional requirements are to be submitted during the conduct of the post-qualification.
 - BAC Chairperson Barrozo answered in the affirmative and explained that the GPPB actually removed the forms in their sixth (6th) edition of the PBD.
6. Mr. Rubisco asked if the BAC requires the submission of clearances such as: 1. PhilHealth, 2. SSS, 3. Pag-IBIG, and 4. DOLE and the period covered.
 - The BAC took note of the question and will issue the appropriate bid bulletin for the matter, if necessary.

The BAC Chairperson stressed that as provided in the guidelines, the prospective bidders might extend their bid security considering that the instant procurement is an Early Procurement Activity (EPA).

The BAC Secretariat Chairperson reminded the prospective bidders that the deadline for the manual submission of bids at the ERC Main Office is on 21 December 2020 at twelve noon (12:00 P.M.). The opening of bids is on the same day at three o'clock in the afternoon (3:00 P.M.). He stressed the request of the BAC to submit one (1) original and one (1) copy of their bids and to bring the originals of the documents submitted and present the same for comparison during the bid opening.

The BAC Chairperson also reminded the prospective bidders to strictly comply with the 2004 Notarial Rules of Practice especially with the submission of proof of competent proof of identity and to go through all the requirements as stated in the Terms of Reference (TOR) in relation to their Statement of Compliance.

V. Adjournment

Having no more questions, discussions, and clarifications, the meeting was adjourned at fifty four minutes past one o'clock in the afternoon (01:54 P.M.).

Approved By:

HEIDDI VENECIA R. BARROZO
BAC Chairperson

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

MARINA C. BUGAYONG
BAC Member

AUGUST ANTHONY N. BALUTE
BAC Member

(TOOK NO PART)
JOSE ROMULO L. CASTRO †
BAC Member

ATTESTED BY:



ARJAY LOUIE EU B. CUANAN
Chairperson, BAC Secretariat