



Republic of the Philippines
**ENERGY
REGULATORY
COMMISSION**

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

14 December 2020 (Monday) 02:30 P.M.

Through Videoconferencing via MS Teams

[https://teams.microsoft.com/l/meetup-](https://teams.microsoft.com/l/meetup-join/19%3ameeting_NzE3MzBkYWQtZTg4Ni00NDE4LTgyYmUtZjEyYjIhNzJjZiU1%40thread.v2/0?content=%7b%22Tid%22%3a%220f0dac9f-433c-41ba-9f57-42be6fe671a9%22%2c%22Oid%22%3a%22638c224b-aae0-4a1f-95d8-6b417df5646d%22%7d)

[join/19%3ameeting_NzE3MzBkYWQtZTg4Ni00NDE4LTgyYmUtZjEyYjIhNzJjZiU1%40thread.v2/0?content=%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_NzE3MzBkYWQtZTg4Ni00NDE4LTgyYmUtZjEyYjIhNzJjZiU1%40thread.v2/0?content=%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 : *Test Equipment (Single Phase Watt-Hour Meter Standard) (Class Accuracy 0.04%) (2nd Bidding)*
Mode of Procurement : Competitive Bidding
Reference No. : Lot No. 2020-47

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
Jean Astrid C. Francisco	Vice-Chairperson (AM), TWG
Timothy L. Arce	Member, TWG
Ferdinand A. Salviejo ¹	Member, TWG
Vladimere B. Pulmones	Member, TWG
Arjay Louie Eu B. Cuanan	Chairperson, BAC Secretariat
Marie Alexis Denise S. Gayon	Vice-Chairperson (CB), BAC Secretariat
Primabelle S. Gobantes	Member, BAC Secretariat
John Paul J. Sending	Member, BAC Secretariat
Kio Paulo H. San Andres	BAC Support
Lovelyn M. Alegre	BAC Support
Rosalyn T. Flores	BAC Support

2. End-User:

¹ Joined the meeting at fifty-four minutes past three o'clock in the afternoon

Name	Position
Ray I. Biona ²	Engineer III, Consumer Affairs Service (CAS)

3. Prospective Bidder:

Name	Company
Sandra Mendoza	Spectrum Scientific Corporation
Mark Caña	Spectrum Scientific Corporation
Marta Fortes	Spectrum Scientific Corporation
Jonathan Capistrano	Sunertech Corporation

I. Call to Order

The Pre-Bid Conference for the *Procurement of Test Equipment (Single Phase Watt-Hour Meter Standard) (Class Accuracy 0.04%) (2nd Bidding)* with an Approved Budget for the Contract (ABC) of Two Million Four Hundred Thousand Pesos (PhP2,400,000.00), was called to order at twenty-seven minutes past three o'clock in the afternoon (03:27 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 the meeting at one-minute past four o'clock in the afternoon

III. Proceedings

The BAC Chairperson briefly went over the salient features of the Technical Specifications (SPECS) of the project as shown on the screen such as the following: a) responsibilities of the winning bidder; b) schedule of delivery; contract period; c) specifications; and d) approved budget for the contract (ABC).

IV. Question and Answers

1. Mr. Capistrano from Sunertech requested the following forms, namely: a) Statement of the prospective bidder of all its ongoing government and private contracts; b) Statement of the bidder's Single Largest Completed Contract (SLCC); c) Bid Securing Declaration; d) Omnibus Sworn Statement (OSS); e) Net Financial Contracting Capacity (NFCC); f) Financial Bid Form; and g.) Price Schedule since the said forms were not included in the PBD posted in the ERC website.
 - BAC Chairperson Barrozo explained that the BAC already uses the 6th edition of the PBD which does not include the requested forms. She added that the updated/current forms can be downloaded at the GGPB website under "Downloadables". Further, she stated that the BAC still uses the existing forms except for the revised ones such as the Omnibus Sworn Statement (OSS) which includes additional paragraphs as revised by the GPPB.
2. Mr. Capistrano asked if the trainings will be conducted at the Visayas Area Operations Division (VAOD) and at the Mindanao Area Operations Division (MAOD) of the ERC. He explained that multiple travels are highly unlikely during this pandemic and that there are cost implications that may also be considered. He also asked of the possibility of having a virtual or remote training to be conducted by their principal or the manufacturer of the equipment.
 - BAC Chairperson Barrozo answered that based on the SPECS, the trainings shall be conducted at the VAOD and MAOD, respectively. She added that the BAC will issue bid bulletins to clarify the question since there is no representative from the end-user to answer the clarification.

- Subsequently, Engineer Ray I. Biona from CAS joined the meeting and answered that the trainings must be conducted separately at the VAOD and MAOD offices of the ERC.
 - BAC Chairperson Barrozo answered that the SPECS contained “Hands-On Training”. She then asked the prospective bidder if they are open to the possibility of a remote training to be conducted by their principal and a hands-on training afterwards, should there be a need for additional training.
 - Engr. Biona clarified that a hands-on training must be conducted.
3. Mr. Capistrano asked for a clarification regarding the “spare parts” as contained in the PBD in relation to the cost thereof and the inclusion on the contract price. He also asked if they are under any obligation to apprise the ERC regarding the availability of the “spare parts” and whether they need to inform immediately the ERC of the availability of the “spare parts” in relation to items b(i) and (ii) of the PBD. Lastly, given that they still need to inquire first with their principal about the matter, he clarified as to what stage of the procurement should they inform the ERC.
- The BAC Chairperson explained that the prospective bidder must assure the availability of the “spare parts” for a period of five (5) years. On the other hand, in terms of costing, in the event the subject equipment is already outside the warranty period, then the cost of spare parts will not form part of the contract price. Hence, the necessary payment should be made by the ERC.
 - BAC Chairperson Barrozo pointed out that should the prospective bidder obtain feedback from their principal regarding the non-availability of the spare parts for the next five (5) years, as stated in the PBD, then that should be indicated already in the proposal. Consequently, it may be a ground for disqualification since the bidder will no longer be able to comply with the SPECS.
4. Mr. Mark Caña from Spectrum Scientific Corporation manifested that they do not have questions.

The BAC Chairperson discussed the following timeline: a) deadline of submission of request for any clarification by the bidder on 18 December 2020; b) deadline of posting of any bid/supplemental bulletin on 21 December 2020; c) deadline for the manual submission of bids at the ERC Main Office on 28 December 2020 at nine o'clock in the morning (09:00 A.M.).

The BAC Chairperson reminded the prospective bidders to submit one (1) original and one (1) copy of their bids and to bring the original documents during the opening of bids for comparison. She likewise reminded them to strictly comply with the 2004 Notarial Rules of Practice especially with the submission of competent proof of identity and the nature of documents required to be submitted as stated in the PBD (i.e. original, copy).

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V. Adjournment

Having no more questions, discussions, and clarifications, the meeting was adjourned at twenty minutes past four o'clock in the afternoon (04:20 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