



**Minutes of the Negotiation Conference for the  
Negotiated Procurement of Technical and Scientific Equipment (Technical Equipment – Lot 2)  
– Negotiated Procurement (Two Failed Biddings)**

**Date: November 26, 2020**

**Time: 2:00-3:30PM**

**Venue: virtual meeting via Google Meet**

**Attendance:**

*Bids and Awards Committee:*

1. Rryam A. Jaralve – Chair
2. Robinson S. Luzon – Vice-Chair/TWG Chair
3. Gil M. Dacera – Member
4. Bernard O. Callao – Member

*BAC Secretariat:*

1. Sherl Dianne S. Estoque – Head
2. Danny A. Sulit – Member

*Prospective Bidders and their Representatives*

1. Glenn Lisanin – Norde International Distributors
2. Leo Mari Recimilla – Gilmed Enterprises and Services
3. Arthur Dean – Humil International Corporation
4. Jasmin Neri – American Technologies, Inc.

**I – Call to Order**

With four BAC members present at the start of the virtual meeting, the Negotiation Conference was called to order by the BAC Chair.

The BAC Chair acknowledged the presence of all those who were present in the Pre-Bid Conference, including all the representatives of prospective bidders.

The BAC Chair emphasized that all members of the procurement team were attending the meeting virtually as it would not be possible to hold the same in the campus during that day, consequent to the work suspension/declaration of work-from-home scheme declared earlier that day to give way for the disinfection of the entire campus as a faculty was believed to have been a close contact of a CoVID-19 positive, result of which came out past 9PM the previous day.

**II – Discussion of the Project's Invitation to Bid, Technical Specifications, et. al.**

The BAC Chair started discussing the salient points involved in the Negotiated Procurement of the Technical and Scientific Equipment (Technical Equipment – Lot 2) – Negotiated Procurement (Two Failed Biddings).

1. That the project's Approved Budget for the Contract (ABC) is **THREE MILLION PESOS (Php3,000,000.00)**;
2. That the project is Lot 2 – Technical Equipment of the project Technical and Scientific Equipment;
3. That the delivery of the goods is required within 120 calendar days;
4. That bidders should have completed, within five (5) years from the date of submission and receipt of bids, a contract similar to project;
5. That the description of an eligible bidder is contained in the Bidding Documents, particularly, in Section II, *Instructions to Bidders*.
6. That bidding will be conducted through open/competitive bidding procedures using the non-discretionary "pass/fail" criterion as specified in the 2016 Revised IRR of RA 9184;

7. That prospective bidders who shall participate in the bidding process shall pay a non-refundable fee of Three Thousand Pesos (Php3,000.0);
  - a. Payment may be made thru courier. A Supplemental/Bid Bulletin would be issued for this matter;
8. That the date, time, and venue for the submission of bids and opening thereafter immediately, will be on December 8, 2020, 2:00 PM., Ground Floor of the Dormitory Building II;
  - a. It was emphasized that the BAC has always maintained its earlier decision not to allow online or electronic submission of bids;
  - b. Bids have to be received manually by the BAC Secretariat;
  - c. Representatives of participating bidders may then attend the Opening of Bids virtually, provided that the bids have already been received by the BAC Secretariat and that payment of Three Thousand Pesos has already been made;
  - d. That payment of the bid documents is not a guaranty of one's participation in the procurement since bids still have to be duly received prior to the deadline of submission of bids;
9. That PSHS-ZRC BAC reserves the right to accept or reject any bid, to annul the bidding process, and to reject all bids at any time prior to contract award, without thereby incurring any liability to the affected bidder or bidders;
10. That questions and concerns pertaining to the project shall be directed to the Head of the BAC Secretariat Team, Ms. Sherl Dianne S. Estoque;
11. That the item to be procured for this project is CNC Router (Full-size Gantry), (cf Specifications in the Terms of Reference);
12. That bidder must have completed, within the period specified, a single contract that is similar to the project, equivalent to at least fifty percent (50%) of the ABC;
13. That the bid validity is 120 calendar days reckoned from the date of submission of bids;
14. That the bid security shall be in the form of a Bid Securing Declaration, or any of the following forms and amounts:
  - a. The amount of not less than Sixty Thousand Pesos (P 60,000.00), if bid security is in cash, cashier's/manager's check, bank draft/guarantee or irrevocable letter of credit; or
  - b. The amount of not less than One Hundred Fifty Thousand Pesos (P 150,000), if bid security is in Surety Bond;
15. That Each Bidder shall submit one (1) original and two (2) copies of the first and second components of its bid;
16. That the following are the eligibility and technical requirements that a participating bidder needs to submit upon bid submission:
  - a. PhilGEPS Certificate of Registration and Membership in accordance with Section 8.5.2 of the IRR
    - i. It was emphasized that this requirement already covers the four documentary requirements:
      1. Mayor's Permit
      2. DTI Certificate of Registration
      3. Tax Clearance
      4. Audited Financial Statements
    - ii. For purposes of the bidding, a participating bidder may no longer submit the first three documents during bid submission but such shall still be a subject for validation during the post-qualification stage to whoever be declared by the BAC as the Lowest Calculated Bidder (LCB);
  - b. Statement of the prospective Bidder of all its on-going government and private contracts including contracts awarded but not yet started, if any, whether similar or not similar in nature and complexity to the contract to be bid, and
  - c. Statement of the bidder's SLCC similar to the contract to be bid, in accordance with ITB Clause 5.4, within the relevant period as provided in the BDS.

The two (2) statements required shall indicate for each contract the following:

1. Name of the contract;

2. Date of the contract;
  3. Contract duration;
  4. Owner's name and address;
  5. Kinds of Goods;
  6. For Statement of On-going Contracts – amount of contract and value of outstanding contracts;
  7. For Statement of SLCC – amount of completed contracts, adjusted by the Bidder to current prices using PSG's consumer price index, if necessary, for the purpose of meeting the SLCC requirements;
  8. Date of delivery; and
  9. End-user's acceptance or official receipt(s) or sales invoice issued for the contract, if completed, which shall be attached to the statements
- d. NFCC computation in accordance with ITB Clause 5.5 or a committed Line of Credit from a universal or commercial bank. (Attach: latest audited financial statements stamped "received" by the BIR which should not be earlier than two (2) years from the date of bid submission).
  - e. If applicable, the Joint Venture Agreement (JVA) in case the joint venture is already in existence, or duly notarized statements from all the potential joint venture partners in accordance with Section 23.1L(b) of the IRR
  - f. The Bid Security or Bid Securing Declaration in accordance with ITB Clause 18. (*may not be notarized, pursuant to GPPB Resolution No. 09-2020*)
  - g. Conformity with technical specifications, as enumerated and specified in Sections VI and VII of the Bidding Documents.
  - h. Sworn statement in accordance with Section 25.3 of the IRR of RA 9184 and using the form prescribed in Section VIII. Bidding Forms. (*may not be notarized, pursuant to GPPB Resolution No. 09-2020*)
  - i. Bidder must have been engaged in the business of Security Services in good standing in the Philippines for at least five (5) years from the date of the invitation to bid.
17. That the financial requirement that a participating bidder needs to submit upon bid submission is the Financial Bid, which includes Bid Prices in the prescribed Bid Form and the Cost Distribution;
  18. That additional specifications and/or modifications of the project not stated in the published Technical Specifications shall be announced in a Supplemental/Bid Bulletin to be issued, if any;

### III – Queries and Concerns

The following are the queries and concerns and the corresponding answers raised by prospective bidders' representatives during the project's Negotiation Conference:

1. Mr. Arthur Dean of Humil International narrated that their company has just been awarded of a similar project by the PSHS-Bicol Region Campus. Accordingly, they were no longer made to pay the cost of bidding documents since the project, like the procurement at hand, was on Negotiated Procurement and that negotiations of the terms of the project be done between the BAC and the prospective bidder/s with regards to the procurement of the project. To which the BAC Chair retorted that under the 2016 Revised IRR of RA 9184, the modality employed in Negotiated Procurement should still mirror the procedure done when project is procured through Public/Competitive Bidding. The BAC Chair also emphasized that it may be a practice in some procuring entities of not anymore requiring participating bidders to pay the bid price, however, the rules do not categorically say so, which means that the Bids and Awards Committee would be left to decide whether or not participating bidders still need to pay the non-refundable fee upon participation which in this case is Three Thousand Pesos. However, the BAC Chair also made mention that should there be any changes pertinent to the concern, such will be made available to the public not later than December 1, 2020 through a Supplemental/Bid Bulletin.
2. Miss Jasmin Neri of American Technologies asked the BAC if it would be possible to extend the deadline of submission of bids. The BAC Chair said that the BAC would have to meet and discuss this concern together with the other concerns and that it would just issue a Supplemental/Bid Bulletin should there be any change to that effect;

3. Mr. Leo Mari Recimilla of Gilmed raised suggestions on the technical specifications of the project. Mr. Luzon, TWG Chair, informed the bidder's representatives that the suggestions were well noted and that a Supplemental/Bid Bulletin would also be issued announcing any modification, addendum and clarification to the bidding documents and the project's technical specifications.

Since there were no other matters discussed, the Negotiated Procurement of the Technical and Scientific Equipment (Technical Equipment – Lot 2) – Negotiated Procurement (Two Failed Biddings) was adjourned at 3:30PM.

As recorded by:

  
**RRYAM A. JARALVE**  
BAC Chair

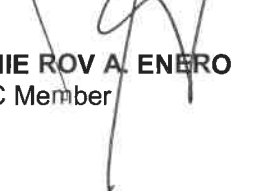
**DANNY A. SULIT**  
BAC Sec Member

  
**SHERL DIANNE S. EQTOQUE**  
BAC Sec Head

We concur:

  
**ROBINSON S. LUZON**  
BAC Vice-Chair

  
**GIL M. DARCEA**  
BAC Member

  
**JUNIE ROV A. ENERO**  
BAC Member

  
**BERNARD O. CALLAO**  
BAC Member