



Republic of the Philippines  
Department of Labor and Employment  
**NATIONAL LABOR RELATIONS COMMISSION**  
Quezon City



**BIDS AND AWARDS COMMITTEE  
(A.O. 07-02, Series of 2020)**

**SUMMARY OF THE MEETING**

01 October 2021  
via Zoom Platform

<b>Procurement Project/ Agenda</b>	PRE BID CONFERENCE: PROCUREMENT OF INTERNET SERVICES FY 2022
<b>Attendance</b>	<p><b>BAC Members:</b></p> <ul style="list-style-type: none"><li>• LA Leila T. Laureta-Agustin – <b>Chairperson</b></li><li>• LA Raisa P. Disomangcop</li><li>• LA Anna Richie U. Morales-Malinao</li><li>• LA Vilma Maria S. Plan-Barrera</li><li>• LA Maria Regina L. Castillo</li></ul> <p><b>BAC-TWG:</b></p> <ul style="list-style-type: none"><li>• LA Mylene Joy S. Paras – <b>Head</b></li><li>• Atty. Tarcila B. Nepomuceno-Banda</li><li>• Atty. Eduardo G. Cerezo</li><li>• Ms. Daisee A. Tismo</li></ul> <p><b>Provisional Members:</b></p> <ul style="list-style-type: none"><li>• Atty. Joseph Anthony F. Tolentino, Chief RIPD</li><li>• Mr. Christian Ericson B. Soriano, Computer Programmer III</li></ul> <p><b>BAC-Secretariat:</b></p> <ul style="list-style-type: none"><li>• Atty. Rachel Ann Katrina P. Abad-Fabe – <b>Head</b></li><li>• Ms. Alna E. Samontanez</li><li>• Ms. Jennifer D. Canoy</li><li>• Ms. Rachelle T. Penaranda</li></ul>

	<p><b>Bidders (Procurement of Internet Services FY 2022):</b></p> <p><b>COMFAC</b> – Dennis Buenviaje  <b>CONVERGE ICT</b> – Rodora Gonzales  <b>PHILCOM</b> – Edz Ruelo  <b>PLDT INC.</b> – Maria Ana Salazar  <b>SOURCE TELECOMS</b> – Peachie Filarca  <b>WIFICITY INC.</b> – Mel Guiang Jr.</p> <p><i>NOTE: Observers were duly invited and notified of this meeting via e-mail and registered mail but no observers attended this meeting.</i></p>
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### HIGHLIGHTS OF THE MEETING

<b>CALL TO ORDER</b>	<p>❖ There being a quorum, LA Leila T. Laureta-Agustin, the BAC Chairperson, called to order the meeting at around 10:10 A.M.</p>
<b>PROCUREMENT OF INTERNET SERVICES FY 2022</b>	<p>The BAC Secretariat discussed the important provisions and information in the bidding documents as follows:</p> <p><b>INVITATION TO BID</b></p> <ul style="list-style-type: none"> <li>• This procurement project is named as the <b>Procurement of Supply, Installation, Commissioning and Testing of Internet Services FY 2022 (1-Lot Direct and 1-lot Back-up)</b> with an approved budget of the contract (ABC) amounting to <b>Php2,000,000.00</b> based on the <b>National Expenditure Program</b>;</li> <li>• <b>This project will be procured in 2 lots.</b></li> </ul> <p style="padding-left: 40px;">Lot 1 <i>Procurement of Supply, Installation, Commissioning and Testing of DIRECT INTERNET Services</i> with an ABC of Php1,800,000.00; and</p> <p style="padding-left: 40px;">Lot 2 <i>Procurement of Supply, Installation,</i></p>

***Commissioning and Testing of BACK-UP INTERNET Services*** with an ABC of Php200,000.00.

- The contract is for one (1) year, from January 1, 2022 to December 31, 2022.
- Bidding will be conducted through open competitive bidding procedures using a non-discretionary "*pass/fail*" criterion as specified in the 2016 revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184.
- Bidding is restricted to Filipino citizens/sole proprietorships, partnerships, or organizations with at least sixty percent (60%) interest or outstanding capital stock belonging to citizens of the Philippines, and to citizens or organizations of a country the laws or regulations of which grant similar rights or privileges to Filipino citizens, pursuant to RA No. 5183.
- Bidding documents are available from **September 23, 2021 to October 12, 2021** 1:00pm at the NLRC Administrative Office from 8:00am to 4:00pm, Mondays to Fridays.
- A complete set of Bidding Documents may be acquired by interested Bidders in the amount of **Php 5,000.00 for Lot 1 Project** and **Php 500.00 for Lot 2 Project**. In case, however, a bidder opts to bid for both lots, the fee for the Bidding Documents shall only be Php 5,000.00.
- With respect to the documentary requirements, the Committee shall accept any of the following:
  - a. Original or certified true copies duly certified by the issuing agency; or
  - b. Photocopies subject to verification with the original copies during the post qualification process.

**SCHEDULE OF PROCUREMENT ACTIVITIES**

- Bids must be duly received by the BAC Secretariat through

the following means: (i) manual submission at the office address indicated in the bidding documents and (ii) online or electronic submission to [nlrcbacsec@gmail.com](mailto:nlrcbacsec@gmail.com) on or before **October 12, 2021 at 1pm.**

- Bid Opening shall be on **October 13, 2021 at 10:00am** at the given address in the bidding documents and through Zoom platform.

### **INSTRUCTIONS TO BIDDERS**

In addition to the provisions under *II. Instruction to Bidders* in the Bidding Documents, the following requirements are expected from the prospective bidders:

- **ITB Clause 5.3: Eligibility of Bidders:** Contracts similar to the Project shall be contracts providing **internet services** and must have been completed within **5 (five) years** prior to the deadline for the submission of bids.
- **ITB Clause 7:** Subcontracting shall not be allowed for this project.
- **ITB Clause 12:** The price shall be based on the current market price.
- **ITB Clause 15: Sealing and Marking of Bids:** The bidder shall be required to submit seven (7) hard copies of the first and second components of its Bid. The hard copies must be in the following format:
  1. First and Second Component Envelopes must be placed in ONE MAIN ENVELOPE, addressed to NLRC BAC and properly sealed;
  2. Submit 7 "MAIN ENVELOPES" labelled Envelope 1,2,3, etc;
  3. Envelope 1 must contain Original Documents;
  4. Envelope 2 to 7 may contain the photocopies of documents contained in Envelope 1.

The bidder shall also be required to submit the first and second components of its Bid to **nlrbcacsec@gmail.com**. The electronic copy shall be a scanned copy in PDF format with encrypted password. First and Second Components of the Bid shall be submitted in separate files. The password of each file shall be submitted by the bidder's authorized representative during the opening of bids.

Soft copies must be submitted in PDF format and bidders must avoid submitting them in zip files. Huge files may be submitted/saved in separate files. Soft Copies shall be saved in this filename format [ **name of bidder.kind of document**].

The electronic copy that cannot be opened or is corrupted shall not be considered as non-responsive thus, not a ground for disqualification. However, for convenience of viewing the Bids by all participants in the Zoom meeting, the bidder's' authorized representatives must present/share their respective electronic copies which should be the same documents that were submitted in the form of hard copies.

- **ITB Clause 14.1:** 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 ***Php36,000.00 for 1-lot Direct Internet Services and/or Php4,000.00 for 1-lot Back-up Internet Services***, 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 ***Php90,000.00 for 1-lot Direct Internet Services and/or Php10,000.00 for 1-lot Back-up Internet Services***
- **ITB Clause 19.3:** The project shall be awarded in two (2) lots. All bidders shall be allowed to bid for both lots but in no instance shall a bidder be declared the Lowest Calculated

Bidder for both lots.

In such case, the Bidder declared as the Lowest Calculated Bidder for both lots shall forfeit its right over Lot 2 and the latter Lot shall be awarded to the second Lowest Calculated Bidder.

- **ITB Clause 20.1: Post Qualification Requirements:** The Bidder shall be required to submit its latest income and business tax returns filed and paid through the BIR Electronic Filing and Payment System (eFPS) and other appropriate licenses and permits required by law and stated in the BDS. Nevertheless, non-submission of the said documents at the time of presentation of bids shall not render the Bid non-responsive and will not be a ground for disqualification, provided, the requisite documents will be submitted during the post-qualification process.

**QUESTION AND ANSWER PART 1:**

*(For the reason that no bidders raised questions in relation to the invitation to bid and other instructions, the BAC Secretariat proceeded to discuss Part 2 of the presentation)*

**SPECIAL CONDITIONS OF CONTRACT**

- **TERMS OF PAYMENT:** Payments shall be made on a monthly basis upon the issuance of a Certificate of Inspection. The Service Provider's request(s) for payment shall be made to the Procuring Entity in writing, accompanied by an invoice describing, as appropriate, the services performed.
- **INSPECTION AND TEST BY THE BAC TWG:** The inspections and tests that will be conducted are:
  1. Examination of documents to verify the validity of the submitted Technical Documents;
  2. Others matters/official papers that may be considered

necessary by the BAC-TWG in its preparation of the Post Qualification Report; and

3. BAC-TWG shall coordinate with the winning bidder with respect to the other requirements and procedures on inspection and tests.

**SCHEDULE OF REQUIREMENTS:**

- Lots 1 and 2 must be delivered for the entire year FY 2022.

**TECHNICAL SPECIFICATIONS:**

*(Salient portions were read briefly by the BAC Secretariat. All bidders were each provided a copy of the bidding documents prior to the meeting hence, they were given the chance to ask questions and clarifications right away)*

**QUERIES/CLARIFICATION ON THE TERMS OF REFERENCE/TECHNICAL SPECIFICATIONS (DIRECT INTERNET AND BACK UP INTERNET):**

- The BAC Secretariat read the questions raised by the bidders in the chat box during the zoom meeting and the end-user representatives, Atty. Tolentino and Mr. Soriano, answered each question.
- Other bidders were also allowed to unmute and asked questions directly to Mr. Soriano.
- The following are summary of the question and answer part 2:

<b>Questions and Clarifications from the bidders</b>	<b>Answers</b>
"For LOT 2 (Back-up): 100 Mbps Burst Speed Internet, may we know what is the CIR for this?"	At least 90%
"For LOT 1, 10Mb per floor or total of 60 Mb?"	Total of 60 Mb, all floors are in the same building. The

		procuring entity will be in charge of the distribution.
	"How many IP per site for LOT 1 and for LOT 2?"	For Lot 1 3 IP. 1 IP per site. For Lot 2, 1 IP.
	"Re: documents to be submitted, do you allow e-signature?"	We may allow e-signature for documents prepared and submitted by the bidder. Beside the electronic signature, date and time stamp may be provided.
	"Clarification, is redundancy on the physical line required for each lot?"	If possible and within the budget, end-user is okay with it.
	"For technical specification, is the price already includes the in house wiring and conduit?"	For LOT 1, all the buildings already have conduit and in-house wiring inside. From main line outside to the building, wiring and conduit shall be required from the bidder so that will be part of the price.
	"Can we request for a floor plan of the 3 sites for our installation plan and costing purposes?"	For request, bidders may email end-user unit or the BAC Secretariat, contact details are provided in the bidding documents.
<p><b>CHECKLIST OF DOCUMENTS:</b></p>		

**TECHNICAL COMPONENT ENVELOPE: LEGAL DOCUMENTS**

1. Valid PhilGEPS Registration Certificate (Platinum Membership);
2. Mayor's or Business permit; and
3. Tax Clearance.

**TECHNICAL COMPONENT ENVELOPE: TECHNICAL DOCUMENTS**

1. Statement of the prospective bidder of all its ongoing government and private contracts;
2. Statement of bidder's Single Largest Completed Contract (SLCC) similar to the contract to be bid;
3. Original copy of the Bid Security (Surety Bid or Original copy of Notarized Bid Securing Declaration);
4. Conformity with the Technical Specifications (attached is the required certification from DICT); and
5. Original copy of the duly signed Omnibus Sworn Statement or Original Secretary's Certificate.

**TECHNICAL COMPONENT ENVELOPE: FINANCIAL DOCUMENT**

1. Audited Financial Statements (FYs 2019 and 2020); and
2. Bidder's computation of Net Financial Contracting Capacity (NFCC) or Committed Line of Credit. (equivalent to 10% of the ABC and must be available at the time of the opening of bids.



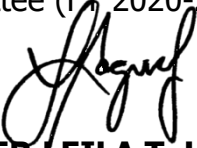
**FINANCIAL COMPONENT ENVELOPE:**



1. Financial Bid Form; and
2. Price Schedule/s.

**QUESTION AND ANSWER PART 3:**

*(No bidders raised questions in relation to the checklist of documents)*

**FINAL REMINDERS:**

	<p>Bidders may still submit their written queries through the BAC Secretariat on or before <b>October 4, 2021</b>. The BAC Secretariat shall, in turn, forward to the end-users the questions related to the technical specifications of the Project. Bidders may choose to directly get in touch with the end-users for any request of information or clarification. All contact details are provided in the bidding documents.</p> <p>Expect the bid bulletin on <b>October 5, 2021</b>.</p> <p><b>SCHEDULE OF NEXT ACTIVITY FOR THE PROJECT:</b></p> <ul style="list-style-type: none"><li>• <b>October 13, 2021 10:00 AM</b></li></ul>
<b>Adjournment</b>	Pre Bid Conference ended at 10:52 AM.
<b>CERTIFICATION</b>	We certify that the foregoing is true account of the Meeting conducted on Friday, 01 October 2021.
<b>PREPARED BY:</b>	 <b>RACHELLE T. PEÑARANDA</b> Member, BAC Secretariat
<b>REVIEWED BY:</b>	 <b>ATTY. RACHEL ANN KATRINA P. ABAD-FABE</b> Head, BAC Secretariat
<b>CERTIFIED CORRECT</b>	<p>Bids and Awards Committee (FY 2020-2021):</p>  <b>LABOR ARBITER LEILA T. LAURETA-AGUSTIN</b> Chairperson, BAC <p><b>LABOR ARBITER RAISA P. DISOMANGCOP</b></p>

	<p>Member, BAC </p> <p><b>LABOR ARBITER ANNA RICHIE U. MORALES-MALINAO</b> Member, BAC </p> <p><b>LABOR ARBITER VILMA MARIA S. PLAN-BARRERA</b> Member, BAC </p> <p><b>LABOR ARBITER MARIA REGINA L. CASTILLO</b> Member, BAC </p>
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