



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



**BIDS AND AWARDS COMMITTEE
(A.O. 11-02, Series of 2021)**

SUMMARY OF THE MEETING
October 12, 2022

Procurement Project/ Agenda:	III. PRE-BID CONFERENCE ON THE PROCUREMENT OF SUPPLY, INSTALLATION, COMMISSIONING AND TESTING OF INTERNET SERVICES FY 2023
Attendance:	<p>BAC Members:</p> <ul style="list-style-type: none">• Presiding Commissioner Julia Cecily Coching-Sosito – Chairperson• Labor Arbiter Vilma Maria S. Plan-Barrera• Atty. Purdey P. Perez• Atty. Felicidad B. Ico• Atty. Sheryl E. Paquidao <p>BAC-TWG:</p> <ul style="list-style-type: none">• Atty. Tarcila B. Nepomuceno-Banda - Head• Atty. Nikki Isabel G. Balanquit (<i>via Zoom Platform</i>)• Ms. Daisee A. Tismo• Ms. Hazel M. Baylon <p>Provisional Members/End-Users:</p> <ul style="list-style-type: none">• Atty. Mary Evangeline T. Delos Santos (<i>via Zoom Platform</i>)• Mr. Christian Ericson B. Soriano• Dir. Elvira F. Cruz• Ms. Mary Ann S. Jastia <p>BAC-Secretariat:</p> <ul style="list-style-type: none">• Atty. Rachel Ann Katrina P. Abad-Fabe - Head• Ms. Jacqueline G. Blazo• Ms. Jennifer D. Canoy• Mr. Ellun N. Dellima

	<ul style="list-style-type: none">• Ms. Alna E. Samontañez <p>Observers:</p> <ul style="list-style-type: none">• No attendance <p><i>Note: Observers were invited and informed of the schedule of procurement activities through private courier 2Go Express on October 6, 2022.</i></p> <p>Bidders:</p> <ul style="list-style-type: none">• Eastern Communications - Mr. Laurence Dean Jovez and Mr. Stephen S. Yap• InfiniVAN Inc. - Mr. Ericson Garcia and Ms. Shanen Razon• Source Telecoms - Mr. Mel Guiang• Philippine Global Communications, Inc. - Ms. Lea Isabelle Monzon (<i>On-site</i>) and Mr. Jayson Oblea• PLDT - Ms. Lorraine See (<i>Via Zoom Platform</i>)• Converge ICT Solutions - Ms. Rodora Gonzales (<i>Via Zoom Platform</i>)• GLOBE/Innove - Ms. Carol D. dela Costa and Mr. Christine Mamaril (<i>Via Zoom Platform</i>)
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HIGHLIGHTS OF THE MEETING

Call to Order:	There being a quorum, PC Sosito, the BAC Chairperson, called the meeting to order at around 11:10 am.
Proceedings:	<p>The BAC Secretariat thru its Head, Atty. Fabe, discussed the important provisions and information in the bidding documents as follows:</p> <p>INVITATION TO BID</p> <ul style="list-style-type: none">• This procurement project is entitled the Procurement of Supply, Installation, Commissioning and Testing of Internet Services FY 2023 with a total approved budget of the contract (ABC) amounting to Php2,000,000.00.

This is a **two-lot** project.

Lot 1 is for the **Direct Internet** with an ABC of **Php1,600,000.00**, while for Lot 2 **Back-up Internet**, the ABC is **Php400,000.00**.

- Delivery of goods is required for **FY 2023**. This is one year from the start of the contract.
- 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 **until October 24, 2022 from 8:00 am to 4:00 pm, Mondays to Fridays**.
- A complete set of Bidding Documents may be acquired in the amount of **Php5,000.00**. The procuring entity shall allow the bidder to present its proof of payment for the fees **in person and through electronic means**.
- Bidding Documents may also be downloaded free of charge from the websites of PhilGEPS and NLRC, provided that the bidder shall pay the applicable fee for the bid docs not later than the submission of their bids.
- 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 are subject to verification** with the original **during post-qualification**.

- Bids must be duly received by the BAC Secretariat through **manual submission** at the NLRC Central Office at Ben-Lor Building in Quezon City on or before **October 25, 2022 at 8:00 am**. Late bids shall not be accepted.
- Bid Opening shall be **October 25, 2022 at 1:30 pm** at the NLRC Central Office.

INSTRUCTIONS TO BIDDERS

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

- **ITB Clause 5.3:** Contracts similar to the project shall be contracts providing **internet** services and must have been completed within **three (3) years** prior to the deadline for the submission and receipt of bids.
- **ITB Clause 7.1: Subcontracting shall not be allowed** for this project.
- **ITB Clause 12:** The price shall be **based on the current market prices, minimum wage orders**, and other relevant laws.
- **ITB Clause 14:** The bid security shall be in the form of a **Bid Securing Declaration** or any of the following forms and amounts:

For **Lot 1**,

- a. *The amount of not less than **Php32,000.00**, 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 **Php80,000.00** if bid security is in **Surety Bond**.*

For **Lot 2**,

*a. The amount of not less than **Php8,000.00**, 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 **Php20,000.00** if bid security is in **Surety Bond**.*

- **ITB Clause 15:** The bidder shall be required to submit **seven (7) hard copies** of the first and second component of their bid. They shall prepare the hard copies in the following format:

1. First and Second Component Envelopes must be placed in 1 MAIN ENVELOPE. It must be addressed to NLRC BAC and must be properly sealed;
2. Submit 7 "MAIN ENVELOPES" labeled as Envelope 1, 2, 3, and so on;
3. Envelope 1 must contain the original documents or Certified True Copies;
4. Envelopes 2 to 7 may contain the certified true copies or photocopies of documents contained in Envelope 1.

- **ITB Clause 19.3:** This project shall be awarded in **2 (two) lots**.

Lot 1: PROCUREMENT OF SUPPLY, INSTALLATION, COMMISSIONING AND TESTING OF **DIRECT** INTERNET FY 2023 with an ABC amounting to Php1,600,000.00.

Lot 2: PROCUREMENT OF SUPPLY, INSTALLATION, COMMISSIONING AND TESTING OF **BACK-UP** INTERNET FY 2023 with an ABC amounting to Php400,000.00

It is reminded that all bidders shall be allowed to bid for both lots, but no bidder may be declared as the lowest Calculated Bidder for both lots.

If the bidder is declared as the Lowest Calculated Bidder for both lots, it shall forfeit its right over Lot 2, which shall be awarded to the second Lowest Calculated Bidder.

- **ITB Clause 20:** 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.

Non-submission of the said documents during the submission of bids shall not render the bid non-responsive and shall not be a ground for disqualification. However, the same shall be submitted during the post-qualification.

SPECIAL CONDITIONS OF THE CONTRACT

- **GCC Clause 2.2:** Payments shall be made monthly upon submission of the **Billing Statement** and the issuance of a Certificate of Inspection by the NLRC Technical Inspection Committee.

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 and other documents the Finance Department requires.

- **GCC Clause 4:** The inspection and tests that will be conducted are:
 1. **Examination of documents to verify the validity of the submitted Technical Documents;**
 2. **Others that may be necessary to the TWG in their preparation of the Post Qualification Report; and**
 3. **BAC-TWG shall coordinate with the winning bidder as to other requirements and procedures in relation to inspection and tests.**

SCHEDULE OF REQUIREMENTS

- This project must be delivered for the entire year **FY 2023**.

DOCUMENTARY REQUIREMENTS

The following are the documentary requirements for the submission of bids.

I. Technical Component Envelope

Legal Documents

- (a) Valid PhilGEPS Registration Certificate (Platinum Membership);
- (b) Mayor's Business Permit;
- (c) Updated Tax Clearance

Technical Documents

- (d) Statement of the prospective bidder of all its on-going government and private contracts;
- (e) Statement of the bidder's Single Largest Completed Contract (SLCC) similar to the contract to be bid;
- (f) Original copy of Bid Security (Surety Bond **or** Original copy of Notarized Bid Securing Declaration);
- (g) Conformity with the Technical Specifications;
- (h) Original duly signed Omnibus Sworn Statement **or** Original Notarized Secretary's Certificate

Financial Documents

- (i) Audited Financial Statements (FY 2020 and 2021)
- (j) The prospective bidder's computation of Net Financial Contracting Capacity (NFCC) **or** a committed Line of Credit

II. Financial Component Envelope




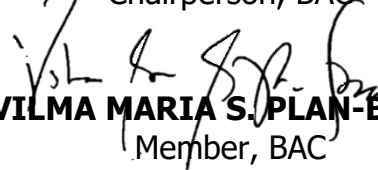
- (k) Financial Bid Form;
- (l) Price Schedule(s).

TECHNICAL SPECIFICATIONS

(Salient portions were read briefly by Atty. Fabe. Bidders were given a copy of the bidding documents prior to the meeting. Bid documents were also posted at the PhilGEPS and the NLRC websites. Hence, they were given the chance to ask questions and

<p><i>clarifications right away.)</i></p> <p>QUERIES/CLARIFICATION ON THE TECHNICAL SPECIFICATIONS (TERMS OF REFERENCE) and DOCUMENTARY REQUIREMENTS</p> <p>The following is the summary of the question and answer portion:</p>	
<p>Questions and Clarifications from Bidders</p>	<p>Responses from the End-users/ Secretariat</p>
<p>1. "How many copies to submit?" - Ms. dela Costa, INNOVE</p>	<p>"Seven copies po." - Atty. Fabe</p>
<p>2. "Delivery timeline can be 60 days once NTP is issued?" - Ms. See, PLDT</p> <p>""Implementation is 60days?"</p> <p>Follow-up: "So the awarding nito is early January(2023) or December(2022)?" - Ms. dela Costa, INNOVE</p>	<p>"Contract with existing (internet) service provider will end on March 31, 2023. Start of this project must be April 1, 2023. (In case of new provider) hopefully by that time, tapos na `yung installation." - Mr. Soriano</p> <p>"If mabigay ng January ung award ng contract, as early as that maikabit na." - Mr. Soriano</p> <p>"We will be issuing the award to the Lowest Calculated and Responsive Bidder as early as January(2023)." - Atty. Fabe</p>
<p>3. "V. Duties and Responsibilities: Technical Requirements sa dedicated Lot 1, is this to be included in SBB since hindi tugma sa II. Scope of Work?" - Ms. Gonzales,</p>	<p>"For Lot 1, the controlling provision is from the Scope of Work which is 100Mbps, 250Mbps and 50Mbps." - Atty. Fabe</p>

	<p>Converge ICT</p>	
	<p>4. "Sa TOR ng Lot 2, V. Duties and Responsibilities: A.7. Other Requirements, d. Policy on over Subscription, Sharing ratio 1:1 to Guaranteed bandwidth, shouldn't this be <i>DEDICATED ratio</i>? - Ms. Gonzales, Converge ICT</p>	<p>"It is dedicated. This will be corrected on SBB." - Mr. Soriano</p>
	<p>5. "Please include what specific floor to install in the 3 respective buildings." - Ms. dela Costa, INNOVE</p>	<p>"Sa buildings, meron sila distribution floor, usually sa Ground Floor. Pagka-connect doon, diretso na sa mga floors namin." - Mr. Soriano</p>
	<p>6. "May we know who is your existing Provider?" - Ms. dela Costa, INNOVE</p>	<p>"Existing provider po is Philippine Global Communications, Inc." - BAC Secretariat</p>
	<p>7. "Yung existing conduit is it owned by NLRC or is it by the existing provider?" - Ms. Razon, InfiniVAN</p>	<p>"Sa BenLor po ay provided ng building; sa Bookman at PPSTA5 ay owned ng NLRC." - Mr. Soriano</p>
	<p>7. "Where is the cloud server located, is this only US and Asia?" - Ms. Mamaril, INNOVE</p>	<p>"Existing provider's server is based in the US, but we are also bidding for the provider of cloud services, so that may change." - Mr. Soriano</p>
	<p>FINAL REMINDERS: Bidders may still submit their written queries until October 14, 2022 through the BAC Secretariat at nlrbcacsec@gmail.com, and the secretariat shall forward questions related to the technical</p>	

	<p>specification to the end-users. Bidders may also contact the end-user directly. All contact details were provided in the bidding documents.</p> <p>The BAC will issue a Supplemental Bid Bulletin in response to all the clarifications discussed in today's conference.</p> <p>Expect the bid bulletin on October 14, 2022.</p>
Adjournment:	Having no other matters for discussion regarding this project, this part of the meeting was adjourned at 11:46 am.
Certification:	We certify that the foregoing is a true account of the meeting conducted on Wednesday, October 12, 2022.
Prepared By:	 ALNA E. SAMONTAÑEZ Member, BAC Secretariat
Reviewed By:	 ATTY. RACHEL ANN KATRINA P. ABAD-FABE (Head, BAC Secretariat)
Certified Correct:	<p>Bids and Awards Committee (FY 2021-2022)</p>  PC JULIA CECILY COCHING-SOSITO Chairperson, BAC  LA VILMA MARIA S. PLAN-BARRERA Member, BAC



ECC II FELICIDAD B. ICO
Member, BAC



ECC II PURDEY P. PEREZ
Member, BAC



ATTY. SHERYLE E. PAQUIDAO
Member, BAC