



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

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

	<p>Bidders (Procurement of Cloud Services FY 2022):</p> <p>COMFAC – Dennis Buenviaje FIRST DATA CORP. – Marv San Miguel INTEGRATED COMPUTER SYSTEMS INC. – Abegail Cebujano MOODLEARNING – Shaznae Ragasa and Maria Elena Mendoza SVI TECHNOLOGIES INC. – Luigi Lim TELCOM LIVE CONTENT INC. – Dorothy Alday</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

CALL TO ORDER	<p>❖ Pre Bid Conference started at 11:00 AM.</p>
PROCUREMENT OF CLOUD SERVICES FY 2022	<p>The BAC Secretariat 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 named as the Procurement of Cloud Services Subscription, Web Hosting with Backup Server and Maintenance FY 2022 with an approved budget of the contract (ABC) amounting to Php2,000,000.00; • This project will be procured in one (1) lot. • 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 “<i>pass/fail</i>” 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** (8:00 AM to 1:00 PM) at the NLRC Administrative Office.
- A complete set of Bidding Documents may be acquired by interested Bidders in the amount of **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 provided in the bidding documents and (ii) online or electronic submission to nlrcbacsec@gmail.com on or before **October 12, 2021 at 1pm**.
- Bid Opening shall be on **October 13, 2021 at 11:00am** 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*, 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 **cloud services** and must have been completed within **5 (five) years** prior to the deadline for the submission and receipt 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 must be 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 **nlrcbacsec@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 separated 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 19.3:** 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 **Php40,000.00**, 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 **Php100,000.00** if bid security is in Surety Bond.*
- **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:

- This project 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 asked questions and clarifications right away)

QUERIES/CLARIFICATION ON THE TERMS OF REFERENCE/TECHNICAL SPECIFICATIONS:

- 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:

Questions and Clarifications by the bidders	Answers
"Page 32 of the bidding documents re: ABC as Php 2,400,000.00"	The correct ABC for this year is Php 2,000,000.00. This part of the bidding documents shall be corrected and be included in the supplemental bid bulletin.
"How to verify the original documents during the opening of bids? Is it possible to present it during post-qualification?"	First, we will accept certified true copies of the documents. In case of photocopy, be ready to present during the zoom meeting the original document and the same shall be submitted/presented during the post-qualification.
"PhilGEPS does not certify documents, it is just printable"	<p>If there is a QR code provided in the certificate, the same shall be accepted.</p> <p>For the other legal documents (Business Permit and Tax Clearance), we shall require the same if the concerned issuing agency already has a QR Code.</p> <p>For technical documents, it</p>

		must be duly signed by the authorized representative of the bidder. Original must be submitted and placed on "ENVELOPE 1" for the other envelopes, photocopy will be allowed.
	"Page 31, for the back-up, what sort of storage is needed? NVMe, SSD or HDD?"	No preference from the end-users. But if within the budget and will cater the size of the storage device, then it is okay to provide NVMe. But SSD and HDD is fine.
	"DR requirement, active/active or active/passive?"	Back up is for recovery purposes only, so we allow active/passive.
	"For soft copy submission, is it alright to share the docs via google drive?"	We will accept submission by sharing documents via google drive as long as document is password encrypted.
	"What specific certification from DICT is needed? Does it have to come from DICT or with all other security IT certifications suffice like from third-party like PCI, DSS, ISO 227-001, will those certification suffice?"	End-user shall only accept the certification of IT services from the DICT. Note: as to what exact certification is required, we will issue a bid bulletin.
	"Mode of payment. Is 2 Million ABC equally divided to 12 months? Or will it depend on the actual consumption?"	Based on the current setup, the ABC is divided by 12. Payment is fixed amount per month. If actual consumption exceeds, the excess amount

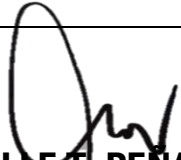

		<p>shall be considered as free.</p> <p>But for this procurement, end-user shall verify with Finance Department and shall include it in the bid bulletin.</p>
	<p>"Is the new bidder be in charge of the migration?"</p>	<p>From the previous service provider, the new service provider shall handle the transfer.</p> <p>Note: this query shall be elaborated in the bid bulletin</p>
	<p>"Page 32 no. 6, how big is the data required for the cloud?"</p>	<p>Mr. Soriano is not aware of the current size but informed the bidder that it has not yet exceeded 1 TB. With NCR alone, less than 500Gb.</p>
	<p>"Page 33 no. 6 (g), is there a developer who will migrate and we (bidders) will assist them?"</p> <p>What platform is currently being used by the service provider?</p>	<p>New service provider shall handle the modification compatible to their system because there are possibility that there are differences in the platforms used by the previous service provider and the new service provider.</p> <p>Mr. Soriano is not sure (Ubuntu or CentOS). He will provide the answer in writing. Bidders may also include this in their written queries addressed to the end-user.</p>
	<p>"As to required warranty? Will</p>	<p>Zoom meeting shall be</p>

	<p>you consider via zoom meeting or on site?"</p>	<p>recognized.</p>
	<p>"Scope of the disaster recovery (DR)?"</p>	<p>Full back up at least every month</p>
	<p>"What is the language program being used?"</p>	<p>For provisional tools: .NET Framework For the web: PHP version 5 (maybe)</p>
	<p>"If consumption exceeds 2 Million before the year ends, will it mean that the contract will also be terminated?"</p>	<p>It will not be terminated. As the payment per month is fixed amount. Note: end-user shall coordinate with Finance Department to clarify this matter. It shall be included in the bid bulletin.</p>
	<p>"Is the primary storage device 4TB also includes the back-up storage?"</p>	<p>As to storage, there is already an on-premise. With regards to the backup for the data base, this should be included in the primary storage device of 4TB.</p>
	<p>"What is the back-up retention period?"</p>	<p>One week.</p>
	<p>"We assume that the Web App is already developed, will we (bidders) just be monitoring the resources used by the Web App? Anything outside that is related to the Web App is out of scope?"</p>	<p>If compatibility issues, it may be included as part of the scope of work for the service provider. As to main changes in the applications, the end-user shall be responsible in fixing it.</p>

	<p>"Clarification: there is 1 prod server and 1 back-up server, do they have same specification?"</p>	<p>Yes. 1 prod server and 1 back-up service. However, for the backup server ist has lower specifications.</p>
	<p>"What is the specific OS version supported by the Web App?"</p>	<p>Any web browser can support the web app.</p>
	<p>"What version is the data base?"</p>	<p>Maria DB 10. But end-user is not sure so he will provide details and will be included in the bid bulletin.</p>
	<p>"Will NLRC bring its own window licenses?"</p>	<p>End-user is using only open sourced windows.</p> <p>Note: bidder suggested that the requirement "window server" should be deleted if end-user is using only open source.</p>
	<p>"As to schedule of requirements? Is this the coverage of the license?"</p>	<p>One year refers to the period of contract.</p> <p>As to the delivery schedule, BAC Secretariat will inquire with the Finance Department as to the period after the issuance of NTP and it will be included in the bid bulletin.</p>
	<p>"What is the period of migration? When will the schedule requirement take effect after the said migration?"</p>	<p>Mr. Soriano and Atty. Tolentino stated that the migration is usually being made by the previous service provider wherein before the end of the</p>

		<p>contract they will turn over the files to the new service provider.</p> <p>Hence, the period of migration shall not form part of the period of this contract or bidding as a condition during the delivery.</p> <p>Migration is always included in the contract of the current service provider. Wherein before the termination, the current service provider will be responsible for the migration.</p> <p>After the transfer, it shall be the responsibility of the new service provider to transfer the files/data within the period required in the schedule requirements as the period of delivery.</p>
	Request for a high level diagram of the infrastructure setup by bidders	<p>Bidders shall email the end-user re: any requests (documents or site visit).</p> <p>Contact details are provided in the bidding documents.</p>
	"How many static IPs are part of this project?"	<p>Only one static IP. All web applications is under nlr.dole.gov.ph and end-user shall call DOLE to request the redirection of the URL of the server to be used, if there will</p>

		be a new service provider.
	"For documentation, webapps and storage, they are all in one primary virtual machine?"	Yes.
<p>CHECKLIST OF DOCUMENTS:</p> <p>TECHNICAL COMPONENT ENVELOPE:LEGAL DOCUMENTS</p> <ol style="list-style-type: none"> 1. Valid PhilGEPS Registration Certificate (Platinum Membership); 2. Mayor's or Business Permit; and 3. Tax Clearance. <p>TECHNICAL COMPONENT ENVELOPE: TECHNICAL DOCUMENTS</p> <ol style="list-style-type: none"> 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. <p>TECHNICAL COMPONENT ENVELOPE: FINANCIAL DOCUMENT</p> <ol style="list-style-type: none"> 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. <p>FINANCIAL COMPONENT ENVELOPE:</p> <ol style="list-style-type: none"> 1. Financial Bid Form; and 2. Price Schedule/s. 		

	<p>QUESTION AND ANSWER PART 3: <i>(No bidders raised their questions in relation to the checklist of documents)</i></p> <p>FINAL REMINDERS:</p> <p>Bidders may still submit their written queries through the BAC Secretariat on or before October 4, 2021. 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 October 5, 2021.</p> <p>SCHEDULE OF NEXT ACTIVITY FOR THE PROJECT:</p> <ul style="list-style-type: none">• October 13, 2021 11:00 AM
Adjournment	Having no other matters for discussion, the meeting was adjourned at 12:30 P.M.
CERTIFICATION	We certify that the foregoing is true account of the Meeting conducted on Friday, 01 October 2021.
PREPARED BY:	 RACHELLE T. PENARANDA Member, BAC Secretariat
REVIEWED BY:	 ATTY. RACHEL ANN KATRINA P. ABAD-FABE Head, BAC Secretariat

**CERTIFIED
CORRECT**

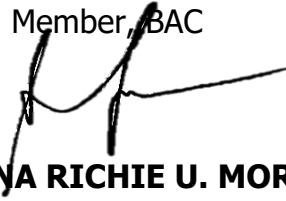
Bids and Awards Committee (FY 2020-2021):



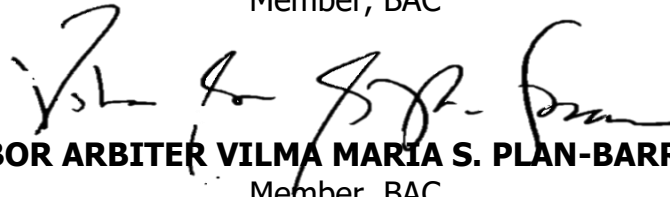
LABOR ARBITER LEILA T. LAURETA-AGUSTIN
Chairperson, BAC



LABOR ARBITER RAISA P. DISOMANGCOP
Member, BAC



LABOR ARBITER ANNA RICHIE U. MORALES-MALINAO
Member, BAC



LABOR ARBITER VILMA MARIA S. PLAN-BARRERA
Member, BAC



LABOR ARBITER MARIA REGINA L. CASTILLO
Member, BAC