



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



**BIDS AND AWARDS COMMITTEE**  
**(AO 11-02, Series of 2021)**

**SUMMARY OF THE MEETING**  
October 12, 2022

<b>Procurement Project/ Agenda:</b>	<b>II. PRE-BID CONFERENCE ON THE PROCUREMENT OF CLOUD SERVICES FY 2023</b>
<b>Attendance:</b>	<p><b>BAC Members:</b></p> <ul style="list-style-type: none"><li>• Presiding Commissioner Julia Cecily Coching-Sosito – <b>Chairperson</b></li><li>• Labor Arbiter Vilma Maria S. Plan-Barrera</li><li>• Atty. Purdey P. Perez</li><li>• Atty. Felicidad B. Ico</li><li>• Atty. Sheryl E. Paquidao</li></ul> <p><b>BAC-TWG:</b></p> <ul style="list-style-type: none"><li>• Atty. Tarcila B. Nepomuceno-Banda - <b>Head</b></li><li>• Atty. Nikki Isabel G. Balanquit (<i>via Zoom Platform</i>)</li><li>• Ms. Daisee A. Tismo</li><li>• Ms. Hazel M. Baylon</li></ul> <p><b>Provisional Members/End-Users:</b></p> <ul style="list-style-type: none"><li>• Atty. Mary Evangeline T. Delos Santos (<i>via Zoom Platform</i>)</li><li>• Mr. Christian Ericson B. Soriano</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. Jacqueline G. Blazo</li><li>• Ms. Jennifer D. Canoy</li><li>• Mr. Ellun N. Dellima</li><li>• Ms. Alna E. Samontañez</li></ul>

	<p><b>Observers:</b></p> <ul style="list-style-type: none"> <li>• <b>No attendance</b></li> </ul> <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><b>Bidders:</b></p> <ul style="list-style-type: none"> <li>• <b>Sagesoft Solutions</b> – Mr. John Chris Constantino and Mr. Adrian Limjoco</li> <li>• <b>Carbon Digital Inc.</b> – Mr. Laurence Domingo (<i>Via Zoom Platform</i>)</li> <li>• <b>Globe</b> – Mr. Christopher Trinidad and Ms. Carol d. dela Costa (<i>Via Zoom Platform</i>)</li> <li>• <b>Telcom Live Content, Inc.</b> – Ms. Glorielyn Aguila, Ms. Rochelle Nisay, and Ms. Mr. Jon Guevarra (<i>Via Zoom Platform</i>)</li> <li>• <b>Maroon Studios</b> – Ms. Roann Escasinas, Mr. Jerick Callado, and Ms. Kristine Serrada (<i>Via Zoom Platform</i>)</li> <li>• <b>Moodlearning Inc.</b> – Ms. Shaznae Adrianne Ragasa and Ms. Janine Flormata (<i>Via Zoom Platform</i>)</li> <li>• <b>My Creative Panda Web Design</b> – Ms. Sharmaine Ignacio (<i>Via Zoom Platform</i>)</li> <li>• <b>My Busybee</b> – Ms. Genve Binayug (<i>Via Zoom Platform</i>)</li> </ul>
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## HIGHLIGHTS OF THE MEETING

<b>Call to Order:</b>	There being a quorum, PC Sosito, the BAC Chairperson, called the meeting to order at around <b>10:24 am.</b>
<b>Proceedings:</b>	<p>The BAC Secretariat thru its Head, Atty. Fabe, 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 entitled the <b>Procurement of Cloud Services Subscription, Web Hosting With Back-Up Server and Maintenance Services for FY 2023</b> with an approved budget for the contract (ABC) amounting to <b>Php1,000,000.00.</b></li> </ul>

- Delivery of goods is required for **FY 2023**. This is a one-year contract reckoning from the start of the implementation 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 for **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 not later than the bid submission.
- 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 10:30 am** 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 **cloud services** and completed within **three (3) years** before the deadline for submitting and receiving bids.
- **ITB Clause 7.1: Subcontracting shall not be allowed** for this project.
- **ITB Clause 12:** The price shall be **based on 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:
  - a. *The amount of not less than **Php20,000.00**, 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 **Php50,000.00** 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 components

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 Original Documents;
4. Envelopes 2 to 7 may contain the certified true copies or photocopies of documents in Envelope 1.

- **ITB Clause 19.3:** This project shall be awarded in **1 (one) lot**.
- **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, they 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 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.

- **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 regarding other requirements and procedures on inspection and tests.**

### **SCHEDULE OF REQUIREMENTS**

- This project must be delivered for the entire year **FY 2023**, taking into consideration the migration period, in case there will be a new provider.

### **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 clarifications right away.)*

**QUERIES/CLARIFICATION ON THE TECHNICAL SPECIFICATIONS (TERMS OF REFERENCE) and DOCUMENTARY REQUIREMENTS**

The following is the summary of the question and answer portion:

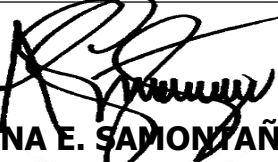





<b>Questions and Clarifications from Bidders</b>	<b>Responses from the End-users/ Secretariat</b>
<p>1. "Will there be a supplemental bid bulletin regarding the change of ABC from 2M to 1M?" - Ms. Carol dela Costa, Globe</p> <p>"Bakit po nagbago ang ABC?" – Ms. Aguil, Telcom Live</p>	<p>The ABC is Php 1,000,000.00.</p> <p>The BAC will issue a Supplemental Bid Bulletin regarding this issue. Please note that the amount of the Bid Security will also be clarified in the said bid bulletin.</p> <p>– Atty. Fabe</p>
<p>2. "Yung backup server po, you need an actual backup server or is it enough to indicate in the contract na ang Cloud features back-up/ redundant system?" - Mr. Guevara, Telcom Live</p>	<p>With the current provider, we have actual live and back-up server. Pero sa tingin ko, back-up server is virtual. We have existing on-premise copy of back-up existing settings. Hard-drive is provided by NLRC. – Mr. Soriano</p>

	<p>3. "With BACs permission, may we know who is your existing provider?" – Ms. dela Costa, Globe</p> <p>"May we know the current cloud provider?" – Mr. Callado, MaroonStudios</p>	<p>Current cloud services provider is Telkom Live Content Inc. - Atty. Fabe</p>
	<p>4. "With regards to disaster recovery, what will be the set-up? Will it be cloud-to-cloud, or is it on-premise-to-cloud, or cloud-to-on-premise?" - Mr. Limjoco, Sagesoft</p> <p>Follow-up: "So 'yun napo ung disaster recovery nila is back-up and restore?" - Mr. Limjoco, Sagesoft</p> <p>"Ang titignan po natin ay kung ilan 'yung RPO at RTO, kung ilang maximum days, o hours po ba or seconds? Kung halimbawa magkaro'n ng disaster, the data na mawala, ilang oras po 'yung recovery time natin?"</p>	<p>"From live onto back-up (from provider side), then i-copy po namin(NLRC) from the back-up server to on-premise. So basically meron po tayo doon na folder kung saan ilalagay 'yung mga back-up, tapos kami na 'yung magkokopya... Nakalagay po dito (Technical Specifications) na weekly full back-up." - Mr. Soriano</p> <p>Yes po. - Mr. Soriano</p> <p>"Ire-review po namin ung sa duration, i-include sa bulletin." - Mr. Soriano</p>

	<p>5. "Yung requirement po sa bidder for three years providing cloud services, is it possible to relax it into two years?" – Ms. Escasinas, MaroonStudios</p>	<p>"The BAC will discuss this and will address it in a bid bulletin."  – PC Sosito</p>
	<p>6. "With regards to SLCC, confirm ko lang po that we can submit a contract with at least 50% of the ABC?" – Ms. Escasinas, MaroonStudios</p>	<p>"Yes po." – Atty. Fabe</p>
	<p>7. "And you payment po is monthly?" - Ms. Escasinas, MaroonStudios</p>	<p>"Yes po. Clarify lang din po sa payment, kung ano po ung ini-offer nila na Bid Price, 'yun po ay fixed at idi-divide sa 12months in one year, at 'yun po ung fixed monthly billing." – Atty. Fabe</p>
	<p>8. "Question po, NLRC copying the back-up will be manually done by NLRC-IT?" - Mr. Guevara, Telcom Live</p>	<p>"Generation of back-up from the provider, ilagay sa folder, 'yun po ika-copy namin papunta sa on-premise na back-up server." - Mr. Soriano</p>
	<p>9. "What is our current Hypervisor? RTO and RPO targets?" – Mr. Trinidad, Globe Telecom</p>	<p><i>(To be addressed in bid bulletin)</i></p>
	<p>10. "Page 28, Item 2.B, On the maintenance of the existing systems, kindly expound on the maintenance services? Is it purely bug fix or with system</p>	<p>"Bug fix lang po. No need to update the system maliban kung magkaro'n ng critical error na hindi ma-access ng mga user ung system, 'yun</p>

	<p>update?" – Ms. Nisay, Telcom</p> <p>"When you mentioned about maintenance, anong particulars po ang kasama sa maintenance?  Is it bug fixes? Is it System Update?" - Mr. Guevara, Telcom Live</p>	<p>lang po ung sa maintenance."  - Mr. Soriano</p>
	<p>11. "For SLCC, will it be under government or private entity?" – Ms. dela Costa, Globe</p>	<p>"Can be either government or private, as long as the requirement as to the ABC must be at least near to this project's ABC, just for purposes of verifying the provider's capability to perform our requirements."- Atty. Fabe</p>
	<p>12. "For the existing 3 systems, may I know the techStack? Is it nodeJS, view, JS, PHP, CodeIgniter, java?" - Ms. Nisay, Telcom</p>	<p>"We will list it down through the bid bulletin." - Mr. Soriano</p>
	<p>14. "Who will set-up the back-up of the systems on-premise?" - Ms. Nisay, Telcom</p>	<p>"The winning bidder will set it up." - Mr. Soriano</p>
	<p>15. "You have a minimum system requirement, with regards to primary storage device, anong storage po ang requirement? It is block storage or object storage? Anong klaseng files `yung ipinapasok sa storage?" - Mr. Limjoco, Sagesoft</p>	<p>"Included na dyan kung saan nakalagay ang lahat ng files ng system, and then gagawa ng folder doon for any type of file, which is basically cloud storage na din." – Mr. Soriano</p>

	<p>“Hindi po ba ito ung block storage na naka-attach sa machine natin?”</p> <p>“Will it double as database na din po?”</p> <p>“Same IP address meaning nandun sa loob ng machine `yung database na din po?”</p>	<p>“Ito na rin `yung storage.”</p> <p>“Data base is also on the machine. Same IP address.”</p> <p>“Opo.” - Mr. Soriano</p>
	<p>16. “On page 31, 7.B.3, Warranty is 1 year from receipt of NTP, while on page 32 Item VIII.A it says Warranty shall commence upon completion and acceptance, magkaiba po ba ang warranty?”</p> <p>“Magkaiba po ba ang warranties na support ng provisions na ito?” - Ms. Nisay, Telcom</p>	<p>“One year upon completion and acceptance of the project deliverables.” – Mr. Soriano</p> <p>“We will include it in the bulletin.” – Atty. Fabe</p>
<p><b>FINAL REMINDERS:</b></p> <p>Bidders may still submit their written queries until October 14, 2022 through the BAC Secretariat at <a href="mailto:nlrcbacsec@gmail.com">nlrcbacsec@gmail.com</a>, and the secretariat shall forward questions related to the technical 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 <b>October 14, 2022.</b></p>		

<b>Adjournment:</b>	Having no other matters for discussion regarding this project, this part of the meeting was adjourned at <b>11:02 am.</b>
<b>Certification:</b>	We certify that the foregoing is a true account of the meeting conducted on Wednesday, October 12, 2022.
<b>Prepared By:</b>	 <b>ALNA E. SAMONTAÑEZ</b> Member, BAC Secretariat
<b>Reviewed By:</b>	 <b>ATTY. RACHEL ANN KATRINA P. ABAD-FABE</b> Head, BAC Secretariat
<b>Certified Correct:</b>	Bids and Awards Committee (FY 2021-2022)  <b>PC JULIA CECILY COCHING-SOSITO</b> Chairperson, BAC  <b>LA VILMA MARIA S. PLAN-BARRERA</b> Member, BAC  <b>ECC II FELICIDAD B. ICO</b> Member, BAC  <b>ECC II PURDEY P. PEREZ</b> Member, BAC

	 <p><b>ATTY. SHERYLE E. PAQUIDAO</b> Member, BAC</p>
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