



Republic of the Philippines
Department of the Interior and Local Government
BUREAU OF FIRE PROTECTION
Cordillera Administrative Region
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MINUTES OF MEETING OF THE REGIONAL BIDS AND AWARDS COMMITTEE (RBAC) FOR THE PRE-BID CONFERENCE RE: REPAIR/IMPROVEMENT OF LAMUT FIRE STATION, IFUGAO (PHASE 1), CY 2021 HELD AT THE ORD CONFERENCE ROOM, #36 CAMPOS BUILDING, LA CHESA ROAD, PUROK 4, IRISAN BAGUIO CITY, ON OCTOBER 13, 2021

I. ATTENDEES:

PRESENT:

RBAC MEMBERS

SUPT FLOYD T TOYOKAN	-	Chairperson
CINSP NESTOR C GORIO	-	Vice Chairperson
CINSP EVELYN P LAGAN	-	Members
SINSP RICK LOVE S FELIX	-	Member

RBAC TWG

SINSP MARY GRACE M BALAO-AS	-	Chairperson
SFO4 Cesar C Badang Jr	-	Member

RBAC Secretariat

CINSP MA THERESA A ALQUEZA	-	Head Secretariat
FO2 Jessica S Tarona	-	Assistant Head Secretariat
FO2 Romeo U Licyayo Jr	-	Member
FO1 Sweger P Arsenio Jr	-	Member

CONTRACTOR

Mr. Merjan P Hambon	-	MERJAN P. HAMBON GENERAL CONSTRUCTION
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END-USER REPRESENTATIVE

SFO2 Andy Puguon	-	Lamut Fire Station
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ABSENT:

RBAC MEMBERS

SUPT ROGELIO N NIGOS	-	Vice Chairperson/Member
CINSP MARK ANTHONY P DANGATAN	-	Member
CINSP KATHERINE B ALBINO	-	Member

RBAC TWG

SFO2 Reynaldo D Pagnas	-	Member
FO1 Viverlyn G Fonsica	-	Member
FO1 Ossee E Paatan	-	Member

RBAC SECRETARIAT

FO1 Nora C Otinguey	-	Member
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II. AGENDUM:

1. Pre-bid conference re: repair/improvement of Lamut Fire Station, Ifugao (Phase 1), CY 2021.

III. RECORD OF THE PROCEEDINGS:

1. SUPT FLOYD T TOYOKAN, Chairperson, Regional Bids and Awards Committee (RBAC) called the meeting into order at 10 o'clock on October 13, 2021 at the ORD Conference Room, BFP-CAR, #36 Campos Building, La Chesa Road, Purok 4, Irisan, Baguio City.

2. SUPT TOYOKAN: Good morning, everyone. Secretariat, kindly lead the prayer.

3. FO2 Licyayo: **Prayer**

4. SUPT TOYOKAN: Secretariat, may I ask if we have a quorum to start with the agendum?

5. FO2 Licyayo: Good morning, ma'am, sir. Mr. Chairperson, for today's meeting, out of seven (7) members, four (4) are present namely: SUPT FLOYD T TOYOKAN, CINSP NESTOR C GORIO, CINSP EVELYN P LAGAN and SINSP RICK LOVE S FELIX. Also, we acknowledge the presence of Mr. Merjan P. Hambon of Merjan P. Hambon General Construction. We also have SFO2 Andy Puguon of Lamut Fire Station and FO1 Elvis P Miguel of Engineering and Maintenance Section, as the end-user representative.

6. SUPT TOYOKAN: Based on the attendance read by the Secretariat, this meeting is now called to order. Secretariat, let us proceed.

7. FO2 Licyayo: Yes Mr. Chairperson, our agendum for today is the pre-bid conference re: repair/improvement of Lamut Fire Station, Ifugao (Phase 1), CY 2021. To give a brief background, before the posting of the Philippine Bidding Documents it was agreed upon by the BAC that (Phase 1) shall be included in the title considering that the end-user (Lamut Fire Station) will request budget for its second-floor repair.

8. SUPT TOYOKAN: Secretariat, do we have any observer based from the provision of RA 9184 to sit in during this proceeding?

9. FO2 Licyayo: Mr. Chairperson, we sent letters on October 07, 2021 to the Philippine Institute of Civil Engineers (PICE), Atty. Marites C. Otagalon, CPA, of the Commission on Audit (COA) and Jaime V. Ongpin Foundation Incorporated. Unfortunately, nobody is present.

10. SUPT TOYOKAN. It's okay, as long as we were able to send invitations to them. With that, kindly read the committee rules.

11. FO2 Licyayo: **(Reading of Committee Rules)**

12. FO2 Licyayo: With your permission Mr. Chairperson, may we proceed with the pre-bid conference proper.

13. SUPT TOYOKAN: May we know what is the source of fund for this procurement?

14. FO2 Licyayo: Mr. Chairperson, the repair/improvement of Lamut Fire Station, Ifugao (Phase 1), CY 2021 has a budget of One Million Five Hundred Thousand Pesos and 02/100 centavos (Php 1, 500, 000.02) sourced from GAA.

15. SUPT TOYOKAN: Thank you.

16. FO2 Licyayo: At this juncture, let us proceed now to the presentation of the salient features of the PHILIPPINE BIDDING DOCUMENTS to be discussed by the TWG Chairperson, SINSP BALAO-AS. Please be informed that the advertisement for the project was posted in the following: PhilGEPS website, BFP-CAR website and at a conspicuous place in the premise of the Regional Office on October 01, 2021.

17. SINSP BALAO-AS: DISCUSSION OF PHILIPPINE BIDDING DOCUMENTS

18. FO2 Licyayo: Mr. Chairperson, in addition to the discussion of the TWG, we include the salient points culled from GPPB Circular No. 04-2020, to wit;

Section 6.0: MANDATORY PROVISIONS OF REQUIRED FORMS	
Section 6.1: The required forms to be submitted by Bidders shall contain the following:	
Required Forms	Mandatory Provision
a. Bid Form	<ul style="list-style-type: none"> i. Bid prices in figures and in words; and ii. The Bid price shall include the cost of all taxes, such as, but not limited to, value added tax, income tax, local taxes, and other fiscal levies and duties which shall be itemized in the bid form and reflected in the price schedule or detailed estimates.
b. Price Schedule	<p>Prices indicated in the Price Schedule shall be entered separately in the following manner:</p> <ul style="list-style-type: none"> i. For Goods offered from within the PE's country: <ul style="list-style-type: none"> 1. The price of the Goods quoted EXW (ex works, ex factory, ex warehouse, ex showroom, or off-the-shelf, as applicable); 2. The cost of all sales and other taxes already paid or payable; 3. The cost of transportation, insurance, and other costs incidental to delivery of the Goods to their final destination; and 4. The price of other (incidental) services, if any. ii. For Goods offered from abroad: <ul style="list-style-type: none"> 1. The price of the Goods shall be quoted Delivered Duty Paid with the place of destination in the Philippines; 2. The price of other (incidental) services, if any; and 3. For Services, based on the form which may be prescribed by the PE, in accordance with existing laws, rules and regulations.
c. Bid Securing Declaration	<ul style="list-style-type: none"> i. Bidder shall enter into contract with the PE and furnish the required performance security within ten (10) calendar days, from receipt of the Notice of Award; and

	<p>ii. Bidder accepts that:</p> <ol style="list-style-type: none"> 1. It shall be automatically disqualified from bidding for any procurement contract with any PE for a period of two (2) years upon receipt of the Blacklisting Order; and 2. It will pay the applicable fine provided under the Guidelines on the Use of Bid Securing Declaration, within fifteen (15) days from receipt of the written demand by the PE for the commission of acts resulting to the enforcement of the Bid Securing Declaration under the pertinent provisions of the IRR of RA No. 9184, and its associated issuances.
<p>d. Contract Agreement Form</p>	<p>i. The following documents form part of the Contract:</p> <ol style="list-style-type: none"> 1. PBDs; 2. Winning bidder's bid, including the Eligibility requirements, Technical and Financial Proposals, and all other documents or statements submitted; 3. Performance Security; 4. Notice of Award of Contract; and 5. Other contract documents that may be required by existing laws and/or the PE concerned in the PBDs. Winning bidder agrees that additional contract documents or information prescribed by the GPPB that are subsequently required for execution or submission after the contract execution, such as the Notice to Proceed, Variation Orders, and Warranty Security, shall likewise form part of the Contract. <p>[NEW]</p> <p>ii. Total contract price, which shall be denominated and payable in Philippine peso, except when the PE agrees that obligations shall be settled in any other foreign currency, which shall be accepted or tradeable by the Bangko Sentral ng Pilipinas, subject to conditions provided for under the Guidelines on Procurements Involving Foreign-Denominated Bids, Contract Prices, and Payment Using Letters of Credit</p>
<p>e. Omnibus Sworn Statement</p>	<p>i. The signatory is the duly authorized representative of the Bidder, and granted full power and authority to do, execute and perform any and all acts necessary to participate, submit the bid, and to sign and execute the ensuing contract accompanied by relevant notarized document;</p> <p>ii. Bidder is not "blacklisted" or barred from bidding by the Government of the Philippines or any of its agencies, offices, corporations, or local government units, including foreign government/foreign or international financing</p>

	<p>institution whose blacklisting rules have been recognized by the GPPB, by itself or by relation, membership, association, affiliation, or controlling interest with another blacklisted person or entity as defined and provided for in the Uniform Guidelines on Blacklisting. [NEW]</p> <p>iii. Each of the documents submitted in satisfaction of the bidding requirements is an authentic copy of the original, complete, and all statements and information provided therein are true and correct;</p> <p>iv. Bidder authorizes the HoPE or his/her duly authorized representative/s to verify all the documents submitted;</p> <p>v. Bidder complies with the disclosure provision under Section 47 of RA No. 9184 and its 2016 revised IRR, in relation to other provisions of RA No. 3019;</p> <p>vi. Bidder complies with existing labor laws and standards;</p> <p>vii. Bidder complies with the responsibilities of a prospective or eligible bidder provided in the PBDs;</p> <p>viii. Bidder did not give or pay, directly or indirectly, any commission, amount, fee, or any form of consideration, pecuniary or otherwise, to any person or official, personnel or representative of the government in relation to any Procurement Project or activity; and</p> <p>ix. In case advance payment was made or given, failure to perform or deliver any of the obligations and undertakings in the contract shall be sufficient grounds to constitute criminal liability for Swindling (Estafa) or the commission of fraud with unfaithfulness or abuse of confidence through misappropriating or converting any payment received by a person or entity under an obligation involving the duty to deliver certain goods or services, to the prejudice of the public and the government of the Philippines pursuant to Article 315 of Act No. 3815 s. 1930, as amended, or the Revised Penal Code. [NEW]</p>
<p>f. Other Required Forms on the Bid Security aside from the Bid Securing Declaration</p> <p>g. Performance Security</p> <p>h. Warranty Security</p>	<p>i. Security is posted in favor of the PE;</p> <p>ii. Amount of the Security, which is denominated in Philippine pesos, which should not be less than the required percentage, as follows:</p> <ol style="list-style-type: none"> 1. For Bid Security, based on the ABC to be bid; 2. For Performance Security, based on the Total Contract Price; and 3. For Warranty Security, based on the required percentage of the Progress Payment or Total Contract Price;

	<ul style="list-style-type: none"> iii. Validity period, which should be corresponding to the timeframe provided in the 2016 revised IRR of RA No. 9184 and its associated issuances; iv. Respective obligation or undertaking that is guaranteed relative to the faithful performance of the responsibilities stated in the relevant provisions of the 2016 revised IRR; and v. For surety bonds, it shall be callable upon demand issued by a surety or insurance company duly certified by the Insurance Commission as authorized to issue such security.
<p>i. Performance Securing Declaration (PSD), if used as alternative Performance Security</p>	<ul style="list-style-type: none"> i. Winning bidder shall submit a PSD within a maximum period of ten (10) calendar days from the receipt of the Notice of Award prior to the signing of the Contract; and ii. Winning bidder accepts that it will be automatically disqualified from bidding for any procurement contract with any PE for a period of one (1) year for the first offense, or two (2) years for the second offense, upon receipt of Blacklisting Order if it has violated its obligations under the Contract [REVISED]; and iii. Winning bidder understands that the PSD shall cease to be valid upon: <ul style="list-style-type: none"> 1. issuance by the PE of the Certificate of Final Acceptance, subject to the following conditions: <ul style="list-style-type: none"> a. PE has no claims filed against the contract awardee; b. PE has no claims for labor and materials filed against the contractor; and c. Other terms of the contract; or 2. replacement by the winning bidder of the submitted PSD with a performance security in any of the prescribed forms under Section 39.2 of the 2016 revised IRR of RA No. 9184 as required by the end-user.
<p>j. Statement of the Bidder of all its ongoing government and private contracts, including contracts awarded but not yet started</p>	<ul style="list-style-type: none"> i. Names of outstanding contracts with other contracting party, i.e., PE or private company allowed by the rules, contract date, period and amount or value; and ii. For Goods, kinds of Goods and dates of delivery.
<p>k. Statement of the Bidder's SLCC similar to the contract to be bid</p>	<ul style="list-style-type: none"> i. Name of the completed contract with contract date, period and amount, which should correspond to the required percentage of the ABC to be bid. The value is adjusted to the current prices using the Philippine Statistics Authority consumer price indices, when necessary; ii. For Goods, the relevant period or delivery date when the said SLCC was completed; end user's acceptance or official receipt(s) or sales invoice issued for the contract, if completed; and iii. Definition or description of the similar project or major categories of work.

<p>l. Owner's Certificate of Acceptance or CPES rating accompanying the Statement of the Bidder's SLCC</p>	<p>i. For Owner's Certificate of Acceptance: 1. Name of project owner that issued the certificate; 2. Name of Contractor/Constructor; 3. Name of Contract; and 4. Contract Duration.</p> <p>ii. For CPES rating, a final rating of at least Satisfactory. For contracts with the private sector, an equivalent document shall be submitted.</p>
<p>m. Bidder's Computation of NFCC or committed Line of Credit (CLC) for Goods</p>	<p>i. For NFCC Computation: 1. ABC to be bid; 2. Amount or value of bidder's current assets based on Audited Financial Statements (AFS); 3. Amount or value of bidder's current liabilities based on AFS; and 4. Amount or value of all outstanding or uncompleted portions of the projects under ongoing contracts, including awarded contracts yet to be started, coinciding with the contract to be bid.</p> <p>ii. For CLC: 1. ABC to be bid; 2. Amount, which should be at least equal to ten percent (10%) of the ABC; and 3. Name of issuing foreign Universal or Commercial Bank, as confirmed or authenticated by a local Universal or Commercial Bank.</p>
<p>n. Joint Venture Agreement (JVA) or Notarized Statements as to forming JV for Goods</p>	<p>i. If a JVA is already in existence, the contents shall include the responsibility of each of the JV partners or its contributions to the JV; and</p> <p>ii. The contents of the Notarized Statements from all potential JV partners shall include that: a. they will enter into and abide by the provisions of the JVA in the event that the bid is successful; and b. failure to enter into JVA in the event of a contract award shall be a ground for bid disqualification and subsequent forfeiture of the bid security.</p>
<p>o. Certification as to reciprocity to foreign bidders for Goods</p>	<p>Foreign bidder claiming eligibility based on its country's extension of reciprocal rights to Filipinos shall submit a certification from the relevant government office of their country stating that Filipinos are allowed to participate in their government procurement activities for the same item/product.</p>

19. FO2 Licyayo: Mr. Chairperson, we are done with the presentation. We now move to the discussion of the Scope of work, Bill of Materials and the Plan to be discussed by FO1 Miguel.

20. FO1 Migeul: **DISCUSSION**

21. FO2 Licyayo: Mr. Chairperson, we are done with the presentation, may we proceed with the open forum?

22. SUPT TOYOKAN. Thank you, before we start with the open forum, Secretariat, kindly read the rules to be observed during the open forum so as to establish order and to facilitate the proceeding.

23. FO2 Licyayo: **Reading of rules**

24. SUPT TOYOKAN: Mr. Hambon, do you have any questions, clarifications?

25. Mr. Hambon: None Mr. Chairperson.

26. SUPT TOYOKAN: Are there any other concerns regarding the procurement members, Secretariat and TWG?

27. Members: None sir.

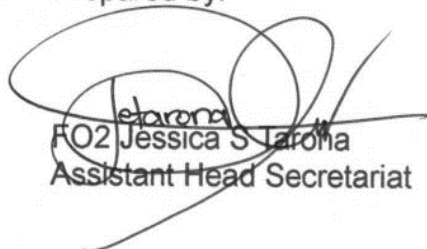
28. Secretariat: None sir.

29. TWG: None sir.

IV. ADJOURNMENT OF MEETING

The meeting re: repair/improvement of Lamut Fire Station, Ifugao (Phase 1), CY 2021 was adjourned at 1155H.

Prepared by:


FO2 Jessica S. Taroma
Assistant Head Secretariat

Certified Correct:


CINSP MA THERESA A ALQUEZA
Head Secretariat

Conforme:


SUPT FLOYD T TOYOKAN, DSC, MPA
BAC Chairperson 