



MINUTES OF BAC MEETING
HO-BAC-PGCS No. 043-2018

DATE : 08 January 2019
 TIME : 10:00 a.m.
 VENUE : Function Room B, 7th Floor, PPA Bldg.
 ATTENDANCE :

BAC Members:

Mark Jon S. Palomar	-	Chairperson
Angelina A. Llose	-	Vice-Chairperson
Danah S. Jaramillo	-	Regular Member
Josephine M. Napiere	-	Regular Member
Jan Pearl F. Portugal	-	Regular Member
Cordelia C. Sidon	-	Provisional Member, End-User, ASD
Froilan U. Caturla	-	Provisional Member, End-User, PPD
Gervacio Alfredo N. Balatbat	-	Provisional Member, End-User, ICTD
- represented by: Ramir Cruz		

Other Attendees:

Lolita D. Solis	-	Head, Secretariat
Milagros Lourdes P. Perez	-	Assistant Head, Secretariat
Charlemagne V. Santillan	-	Member, TWG
Jenneliza D.L. Rebong	-	Member, TWG
Sharon V. Oliveros	-	Member, TWG
Edwina Rita P. Estilon	-	Member, TWG
May D.A. Romero	-	Member, TWG
Hanes Louise M. Alivio	-	TWG End-User

Contractors' Representatives:

Joy Gutierrez-Jose	-	Trust Trade
Marinyl Belino	-	Trust Trade
Ma. Teresa Cua	-	Squires Bingham, International, Inc.
Nelina Binarao	-	Squires Bingham, International, Inc.
Edmin Antolin	-	Nashe Enterprises
Joseph Primo	-	R. Espineli Trading
Cherry Anne Cribello	-	R. Espineli Trading
Joan Villarín	-	Facilities Protection, Inc.
Icon De Leon	-	Alpha Sigma Defense Industrial, Inc.
Joshua Joy Ibon	-	Alpha Sigma Defense Industrial, Inc.

Angelita Concepcion	-	Stronghand, Inc.
Basher Alonio	-	Stronghand, Inc.
Maricar Pacio	-	Sniffer K9 Security Solutions, Inc.
Danilo Labao	-	DSL K9 Services
Churchill Gomez	-	Zemog K9
Rosano Rosana	-	Manalo Animal Products & Services
Elmer Cepeda	-	SAS K9
Martin Cruz	-	Beyondsight Philippines, Inc.
Elaine Masukat	-	Beyondsight Philippines, Inc.
Moses Rivera	-	Beyondsight Philippines, Inc.
Rony Macalinao	-	NEC Philippines, Inc.
Nelson Darang	-	Kempal Construction & Supply Corp.
Grace Litao	-	Kempal Construction & Supply Corp.
Rhon Mape	-	Cinergi Industrial Solutions
Jose Mari Legaspi	-	Cinergi Industrial Solutions
John Leongson	-	PLDT, Inc.
Jan Ramos	-	One Commerce
Allan Santos	-	One Commerce
Jeff Lim	-	One Commerce
Glenn Delis	-	BCDT/ePDT
Ronald Buencamino	-	BCDT/ePDT
Pauline Oligo	-	Neotech
Mari Santos	-	Demax Technology Center

CALL TO ORDER:

The Head, Secretariat read the attendance of the BAC Members, TWG Members and Bidders' Representatives. After the quorum had been duly certified, the Chairperson called the Meeting to order at 10:06 a.m.

HIGHLIGHTS:

1. The Chairperson presented the sole Agenda item which is the Pre-Bid Conference for the following projects: a) Procurement of Firearms for Port Police; b) Lease and Care of K9 Narcotics Detection Dogs; and c) Procurement of Multi-Site Remote Surveillance Equipment and Ancillary Services.

The objective of the Pre-Bid Conference is to clarify and/or explain any of the requirements, terms, conditions, and specifications stipulated in the Bidding Documents.

Atty. Jaramillo manifested her concern that the End-User has not submitted yet the required certificates, in compliance to the directive of the BAC during pre-procurement of the project. The Chairperson then instructed the End-User to submit said certificates.

1.1 Procurement of Firearms for Port Police

- a) Upon opening the floor for inquiries and clarifications, Ms. Gutierrez-Jose, representative of Trust Trade raised comments and clarifications, as follows:
- i. On the Technical Specifications: 9MM Pistol – Ms. Gutierrez-Jose asked what word is supposed to be written on the blank. Atty. Alivio replied that the word should be “embedded”.
 - ii. Safety: External Safety (Ambidextrous, Manual, Trigger, Grip Safety) Internal Safety (Firing Pin block or Similar Device) – Ms. Gutierrez-Jose inquired whether all safety selectors are required or only one of what is indicated. Atty. Alivio said, all. Ms. Gutierrez-Jose manifested that the specifications of the PNP which is approved by the NAPOLCOM requires only one internal and one external safety selector. She then opined that if PPA will require all, no bidder can comply. The Committee took into consideration the information given and assured the prospective bidders to discuss the matter with the proponent for the issuance of a supplemental bid bulletin, if necessary.
 - iii. Barrel Length: 4 inches – Ms. Gutierrez-Jose requested that the required 4 inches barrel length be specified whether it is a minimum or maximum length. Atty. Alivio said that it is a minimum length. A Supplemental Bid Bulletin will be issued thereon.
 - iv. On the Technical Specifications of the Shotgun: Sights: Fiber optic front sight; Adjustable rear sight Notch with Tritium Inserts Low Profile – Ms. Gutierrez-Jose clarified whether said requirement is for a shotgun. She explained that normally, a shotgun would not have a tritium inserts low profile. Atty. Alivio said that a Supplemental Bid Bulletin will be issued to clarify the specifications for the shotgun.
 - v. With regard the Brochure of each type of firearm – Ms. Gutierrez-Jose clarified if the brochure is a requirement for both pistol and the shotgun. Atty. Alivio clarified that a brochure is required for both firearms. According to her, said brochures will be used as manuals. Moreover, Atty. Alivio informed the prospective bidders that said brochures are not part of the requirement for the bidding documents. She then stated that for bidding purposes, the bidder may submit one (1) copy of the brochure for the seven (7) sets of bidding documents to be submitted.
 - vi. Regarding Testing of Firearms – Ms. Gutierrez-Jose asked what the parameters are and what kind of testing will be conducted. She explained that a testing could be one shot or more. The bidders should know the details of the testing in order to provide sufficient number of ammunitions and to prepare the costings. Atty. Alivio assured the bidders to issue a Supplemental Bid Bulletin to detail the

requirements for testing.

Moreover, Atty. Alivio informed the prospective bidders that the Authority intends to require at least 10 sample firearms of each kind with full bullets: 7 rounds per unit for both pistols and shotguns. Thus, the bidders should prepare at least 70 ammunitions per unit. Ms. Gutierrez-Jose clarified if the only testing to be conducted is only to shoot each unit of 10 samples of firearm for one full magazine capacity per pistol and shotgun and nothing else. Atty. Alivio affirmed.

- vii. On the Design – Atty. Alivio clarified that the design pertains to the logo as prescribed on page 69 and 70 of the bid documents.

With regard the sample of the logo, Ms. Gutierrez-Jose manifested that they cannot provide an actual sample of the designs. She explained that their items will be coming from the United States and permits thereto have to be secured, thus, it is not practicable and doable. On the other hand, the least they can do is to provide engineering drawings. The Committee clarified that engineering drawings of the design will be required to the winning bidder instead of the actual sample. Atty. Alivio said that the Committee will consult first the PNP prior the issuance of a Supplemental Bid Bulletin.

- viii. License Fee (2 years), including ballistic examination – Ms. Gutierrez-Jose informed the Committee that pursuant to RA.10591, license fee is for 4 years. The Chairperson directed the End-User to clarify the changes on the period of license and to issue a Supplemental Bid Bulletin if necessary.
- ix. Firearms Bond (2 years) – Ms. Gutierrez-Jose apprised the Committee that the juridical section of the PNP no longer required the firearms bond. The Chairperson requested the Ed-User to clarify the said requirement for the issuance of a bid bulletin.
- x. Gun Ban – Ms. Gutierrez-Jose manifested her concern that the opening of bids is within the period of implementing the gun ban. According to her, a COMELEC exemption must be secured first before they can bring the sample units of firearms to PPA. Moreover, she apprised the Committee that the application to have a COMELEC exemption normally takes at least two weeks of workings days without any guarantee to grant said exemption.

Atty. Alivio suggested that during post-qualification, the winning bidder will deliver and test the units at its own firing range, instead at PPA's firing range. Ms. Gutierrez-Jose told the Committee that their warehouse is in Camp Crame and they will have to check first with the PNP if they will allow the movement of firearms from warehouse to the firing range of Camp Crame. Also, she told the Committee that permission from the PNP should be secured first to assure that

there will be no violations of COMELEC provisions.

The Chairperson requested the Head, Secretariat to note the concern for possible adjustment of the schedule of the procurement process. He then told the Committee to discuss the proper course of action on the matter.

- xi. On the delivery period of firearms – Considering the gun ban, Ms. Gutierrez-Jose requested for an extension of the delivery period. Atty. Alivio said that the Management will have to check first what exemption the Authority can get before issuing a Supplemental Bid Bulletin for the extension of the delivery period.
 - xii. On Sealing of Bid Documents to be submitted: On the required sealing of bid documents to be submitted, the Head, Secretariat explained that there should be two (2) sealed envelopes, one (1) for the technical proposal and the other for the financial proposal. Each package should contain seven (7) copies of the documents, one original and six (6) duplicate copies, each individually wrapped in an envelope, properly book-bound/hard-bound and with corresponding index tabs.
 - xiii. On the prescribed forms – The Head, Secretariat reminded that the bidder can retype the forms, provided that the format will not be altered. The bidder is not allowed to add or delete anything on the prescribed format.
- b) Ms. Binarao, representative of Squires Bingham, International, Inc. raised their comments and concerns, as follows:
- i. Whether the 10 unit sample firearms to be tested will form part of the delivery, Atty. Alivio clarified that said requirement is for the winning bidder to be post-qualified.
 - ii. On Repair/Replacement – Ms. Binarao manifested her concern that replacing of licensed firearm may be difficult for them, considering that the units will be coming from abroad. Atty. Alivio told the bidders that replacement is part of the warranty.
- With regard the repair of firearms, Atty. Alivio emphasized that repairs must be done within thirty (30) days from receipt. On the possible extension of the 30 days from receipt of the damaged unit, the Committee resolved to discuss first the matter prior to the issuance of a Supplemental Bid Bulletin.
- c) R. Espineli Trading – Mr. Primo, representative of R. Espineli Trading manifested that they will send a written letter indicating their comments and clarifications on the TOR. The Head, Secretariat reminded that all queries should be submitted ten (10) days before the deadline for the submission of bids, scheduled on January 25, 2019 at 1:00 PM.

1.2 Lease and Care of K9 Narcotics Detection Dogs

- a) Ms. Pacio, representative of Sniffer K9 Security Solutions, Inc. raised her comments and concerns, as follows:
- i. For the Similar Contract, whether it includes the sale of narcotics detection dogs or purely lease, Atty. Alivio clarified that Similar Contracts may include the sale.
 - ii. Whether the project is exclusive of explosive detections dogs, Atty. Alivio clarified that the project is for the procurement of narcotics detection dogs only.
 - iii. With regard the Bid Data Sheet: Proof of Experience in K9 Narcotics Operation for at least 1 year – Ms. Pacio clarified because the Technical Specifications state that there should be a proof of experience of at least 3 years. Atty. Alivio clarified that the 3 years pertains to the qualification of the company as provider of K9 narcotics detection dogs and 1 year experience is required for the handler.
 - iv. On the Certificates of Course Completion from a duly registered K9 Training School within the Philippines – When asked if said requirement refers to the handler, Atty. Alivio told the bidders that a bid bulletin will be issued to clarify the matter.
 - v. On the Medical Records of Narcotics Detection Dogs within two (2) years from date of bidding – Ms. Pacio inquired if the Management intends to procure 2 years old and above detection dogs or younger. Atty. Alivio said at least one year old dogs.
- b) Mr. Labao, representative of DSL K9 Services asked the responsibility for transporting the K9. Atty. Alivio told the bidders that it is on the part of the winning bidder to transport the dogs wherever PPA will require them to be.
- c) Mr. Cepeda, representative of SAS K9 manifested his comments and concerns, as follows:
- i. On the delivery upon issuance of Notice to Proceed – Atty. Alivio clarified that there is a typographical error. The delivery period is within ninety (90) days upon issuance of NTP.
 - ii. When asked if the bidder is required to have a dog cage, Atty. Alivio affirmed. According to her, the PMOs will only provide for the shelter of the dogs and a station per port.
- d) Mr. Gomez, representative of Zemog K9 raised his comments and concerns, as follows:

- i. With regard the Testing: Item 3.a. Odor recognition using at least ten (10) lanes with ten (10) boxes each lane, at least 2 meters distance between each bag. One (1) hidden narcotic training aids: This will be done under speed and endurance pressure test – Mr. Gomez manifested that other government agencies usually do not require a single training aid; otherwise, it only pertains to one qualification of a dog. According to him, normally, there are four (4) training aids to be identified by dogs and the only personnel authorized to bring training aids is the PDEA. Atty. Alivio told the bidders that the Authority will closely coordinate with PDEA in bringing in the training aid. However, the PPA team will be responsible to put whatever kind of narcotics substance (marijuana, cocaine, shabu and ecstasy) to be identified by the detection dogs.
- ii. On Other Terms and Conditions, Testing: Item 3.c: Each team may be given chances to do the test for at least five (5) times, must not exceed three (3) false indications – Mr. Gomez raised that normally, procuring agencies will conduct a single testing for the detection dogs. He manifested that he does not get the logic of testing the dogs for 5 times. Atty. Alivio stated that the Management, during its previous procurement also required five times testing of dogs and they should not commit more than 3 false indications.

1.3 Procurement of Multi-Site Remote Surveillance Equipment and Ancillary Services.

a) Mr. Cruz, representative of Beyondsight Philippines, Inc. raised the following queries and concerns:

- i. On the Transportation of Goods – Whether insurance and logistics going to ports is included in the financial bid forms. Atty. Alivio affirmed.
- ii. When asked if PPA is open to China made cameras especially Huawei cameras, considering the issue globally with regard cyber security. Atty. Alivio told the bidders that the Authority do not intend to accept China products.
- iii. Timing, Delivery and Installation of units – Atty. Alivio emphasized that installation and activations of units in all ports must be completed within 180 days. It does not need to be simultaneous. It can be one PMO at a time, as long as it is completed at the required period.
- iv. Quality and Operations Manual – Mr. Cruz asked if said manual is included in the bidding process or can be created after awarding. Atty. Alivio said that it is part of the bidding requirements.
- v. With regard the site locations where the cameras will be installed, Atty. Alivio informed the bidders that the exact address or

coordinates of concerned ports will be provided only to the winning bidder for security reasons.

- vi. On the Statement of Compliance – Atty. Alivio told the bidders that a uniform Statement of Compliance will be provided to indicate whether the bidder complied with all the requirements on the TOR, as part of the bidding requirements.
- vii. With regard the Final Acceptance – Atty. Alivio informed the bidders that a Certificate of Acceptance will be issued. Moreover, for purposes of payment, the Authority may also issue said certification every payment process after activation or completion of services to be provided.

b) Ms. Litao, representative of Kempal Construction & Supply Corp. manifested her queries and concerns, as follows:

- i. With regard the Single Largest Contract which should be 5 years prior to the deadline of submission of bids – Ms. Litao inquired if they are allowed to submit an aggregate contract, considering the amount of ABC. The Head, Secretariat informed the bidders that it is PPA's requirement, pursuant to RA. 9184 for the submission of Single Largest Completed Contract and not aggregate contracts.

When asked if the coverage of the contract which is 5 years can be extend up to 10 years, Atty. Alivio reiterated that RA. 9184 required that the coverage of the Single Largest Completed Contract should be within 5 year period.

- ii. On the definition of Similar Contracts – Ms. Litao asked if the contracts should cover both surveillance and ancillary services. Atty. Alivio affirmed.
- iii. Manpower Selection – Atty. Alivio clarified that the winning bidder is responsible for the selection process of manpower for the operation of the units. According to her, it is required that the bidder should have existing organization related to the project to be able to remotely monitor the Command Center in Metro Manila and be responsible for the maintenance of hardware. Moreover, she clarified that no personnel will be coming from PPA.
- iv. On the Delivery Period – Atty. Alivio clarified that request for extension period for the winning bidder to complete the project should be requested from the Head of the Agency.
- v. With regard the Legal Forms, Atty. Alivio reminded the bidders that deviation of forms included in bid documents is not acceptable.

c) Mr. Macalinao, representative of NEC Philippines, Inc. if the bidders are allowed to propose better analytics or facial recognition cameras that is not

above the Approved Budget for the Contract (ABC). Atty. Alivio said no.

2. There being no other matters to be discussed, the meeting adjourned at 11:15 a.m.

Certified Correct:


LOLITA D. SOLIS
Head, BAC Secretariat

Approved:


MARK JON S. PALOMAR
Chairperson, BAC-PGCS