



MINUTES OF BAC MEETING
HO-BAC-PGCS No. 037-2020

DATE : 14 August 2020
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 (via zoom)
Diane Steffi T. Guillamon	-	Regular Member
Josephine M. Napiere	-	Regular Member (via zoom)
Eric E. Dimaculangan	-	Provisional Member
Genaro P. Mancio, Jr.	-	Provisional Member, End-user, PPD

Observer:

Asnia Guiling	-	COA (via zoom)
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Other Attendees:

Lolita D. Solis	-	Head, Secretariat
Milagros Lourdes P. Perez	-	Assistant Head
Darlene V. Ambay	-	Member, Secretariat (via zoom)
Mitchie F. Manatad	-	Head, TWG
Janneliza D.L. Rebong	-	Member, TWG (via zoom)
Edwina Rita P. Estilon	-	Member, TWG (via zoom)
Eduardo C. Alvarez	-	ASD
Ronaldo A. Amboy	-	ASD

Contractor's Representative:

Eduardo Quirante	-	FMG Refrigeration and Airconditioning Services
Simeon Lumbes, Jr.	-	FMG Refrigeration and Airconditioning Services
Trisha Gutierrez	-	FMG Refrigeration and Airconditioning Services
Jan Brylle Bernabe	-	Temprite Engineering, Inc.
Melecio Ishga	-	Temprite Engineering, Inc.
Ricardo Ogardo	-	Temprite Engineering, Inc.
Clark Angel Pineda	-	Sentine Industrial
Rose dela Cruz	-	ACMI Office System Philippines, Inc. (via zoom)
Sunshine Francisco	-	Superserve (via zoom)
Romulo Paule	-	Ready Equipage Marketing, Inc. (via zoom)
RC Merin	-	Toyota Alabang

CALL TO ORDER:

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

HIGHLIGHTS:

1. The Chairperson presented the Agenda items, as follows: a) Pre-Bid Conference for the Supply, Delivery, Installation and Commissioning of Airconditioning Units for Philippine Ports Authority Head Office; b) Negotiation for the Supply and Delivery of Multi-Purpose Vehicles; c) Pre-Procurement Conference for the following projects; c.1) Supply, Delivery and Installation of Body Scanning Machines (Phase II); c.2) Supply and Delivery of Diaper Changers to Port Areas and Buildings; c.3) Supply and Delivery of Four (4) Units Bus; c.4) Supply and Delivery of Fifteen (15) Units Manlift; and c.5) Supply and Delivery of Tactical Uniforms and Tactical Boots for Port Police Personnel.
2. The Head, Secretariat informed the Committee that Item c.3 of the Agenda (Supply and Delivery of Four (4) Units Bus) is cancelled.
3. Pre-Bid Conference for the Supply, Delivery, Installation and Commissioning of Airconditioning Units for Philippine Ports Authority Head Office
 - 3.1 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.
 - 3.2 Ms. Dela Cruz, representative of ACMI Office System Philippines, Inc. inquired why the previous bidding for the project was declared a failure. She asked if it is because of the R-32 Refrigerant Type requirement where she is requesting for the BAC to consider the R-14 Refrigerant Type. The Chairperson responded that it was not the reason why the first bidding was declared a failure and informed the prospective bidder that the requirement for the refrigerant will remain as R-32.
 - 3.3 Ms. Francisco of Superserve inquired if copies of contracts should be attached to the Statement of All On-Going Projects. Atty. Manatad clarified that only the Statement of All On-going Projects is required as an eligibility requirement. All attachments are subject for verification during post-qualification.
 - 3.4 The representative of Ready Equipage Marketing, Inc. inquired on when they can conduct a site inspection or survey. The Chairperson replied that the matter can be coordinated with the Administrative Services Department (ASD).
 - 3.5 The Head Secretariat informed the prospective bidders of the deadline for the submission and opening of bids.

4. Negotiation for the Supply and Delivery of Multi-Purpose Vehicles

4.1 As a backgrounder, the Head Secretariat informed the Committee that after a series of postponements due to COVID-19 and two (2) failures of bidding, the BAC thru Resolution No. 049-2020 resolved to directly negotiate with the technically, legally and financially capable supplier, pursuant to Section 5 (b) of Annex H of the Consolidated Guidelines for the Alternative Methods of Procurement of the 2016 Revised IRR in 9184 and to change the original mode of procurement for the Supply and Delivery of Multi-Purpose Vehicles from Competitive Bidding, as specified in the APP to Negotiated Procurement. The said recommendation was approved by the Head of the Procuring Entity (HoPE).

The request for proposal for the Supply and Delivery of Multi-Purpose Vehicles was posted in the PPA and PhilGeps Website on 27 July 2020. Three (3) suppliers, namely: Toyota Alabang, Inc., Toyota Quezon Avenue, and Hyundai Philippines were invited to submit their proposals within the prescribed deadline of 03 August 2020. Only Toyota Alabang, Inc. responded to the invitation to submit a proposal and none replied through the posted request for submission of proposal.

4.2 Atty. Manatad, Head TWG reported the following results of the evaluation of the legal, technical and financial documents submitted by Toyota Alabang, Inc.:

- a) There should be a rear airconditioning system. Toyota Alabang, Inc. indicated in the submitted brochure that the said requirement is "optional."

Mr. Merin, representative of Toyota Alabang, Inc. clarified that they are offering two (2) types of HILUX FX, one without the rear aircon and the other has a rear aircon and what they are offering has a rear airconditioning system. The submitted brochure is their standard brochure.

- b) As part of the after sales, there is a free labor on preventive maintenance services within the first 1,000 and 5,000 kilometers. However, with respect to the 5,000 kilometers, the service coupon provided in the warranty booklet indicated an exception to the use thereof if the vehicle being offered is Toyota 86 and Supra Model.

Mr. Merin explained that the said warranty booklet is a standard warranty booklet for Toyota Motor Philippines. The HILUX FX is qualified for a free labor on preventive maintenance within the first 1,000 and 5,000 kilometers.

- c) Submission of the duly authenticated copies of ISO Certificates. The bidder submitted only print out copies of the said certificates.

Mr. Merin said that the certificates they have submitted were issued online, hence their ISO Team just printed it out. The Chairperson:

inquired if there is a list of all certified ISO entities and whether it is posted online for PPA to determine whether the bidder is part of the said list. Mr. Merin told the Committee that there is a list, but he will have to check first with their ISO Team on how to access it.

Mr. Dimaculangan, as End-User dispensed the requirement for the submission of the authenticated certifications considering that verification on-line is considered an authentication.

- d) On the financial requirement, the Net Financial Contracting Capacity (NFCC) of the bidder is not sufficient to cover the ABC for the project. Their liabilities are higher than their current assets, as stated in their Audited Financial Statement.

Mr. Merin told the Committee that they will submit a Committed Line of Credit as part of their submission for the financial proposal. Atty. Manatad apprised the Committee that the submission of additional documents after initial evaluation is allowed under Negotiation. Under Section 25 of the IRR of RA 9184, the bidder may submit in lieu of the NFCC, a Committed Line of Credit which must be at least equal to 10% of the ABC to be bid.

The Chairperson inquired on the number of days needed by the bidder to submit a Committed Line of Credit. Mr. Merin replied that he cannot determine the number of days needed to submit the said document considering the schedule of banks during the implementation of the Modified Enhanced Community Quarantine (MECQ). He then told the Committee that he will consult the matter with their finance department.

The Committee resolved to require the bidder to submit a letter to the BAC indicating their schedule for the submission of the required Committed Line of Credit.

- 4.3 The Chairperson read Toyota Alabang, Inc.'s financial offer in the amount of Php1,090,000.00/unit. The total amount for 26 units multi-purpose vehicles is Php28,340,000.00.

5. Pre-Procurement Conference for the following projects:

5.1 Supply, Delivery and Installation of Body Scanning Machines (Phase II)

- 5.1.1 On the deployment of units – Ms. Napiere reiterated her question during the first pre-procurement conference on the project that PMOs NCR North and NCR South have terminal operators with the obligation to procure equipment and provide facilities for the terminals, as compliance to their contract with PPA. She inquired if the machines are intended to screen the volume of passengers in the terminal. Mr. Dimaculangan clarified that the machines are not intended for that purpose only considering that there are port users transacting with PPA and uses the facilities, hence, there is also a need for the

The Chairperson confirmed that the body scanning machines for PMOs NCR South and NCR North are to be placed at the port operations building and it is not covered by the contract of the operators and the duty to secure the ports will not be transferred to the operator. The security and manning of the ports remains with PPA and the responsibility of the PPD.

The Vice-Chairperson inquired if the machines are movable from one place to another. Mr. Dimaculangan replied that the machines are small and can be moved from one place to another than a regular security equipment. Likewise, he informed the Committee that part of the first procurement of the machines were the ones that were installed at PMO-Cagayan de Oro, during the inauguration of the new PTB wherein the Secretary of Transportation was the guest. The Secretary announced that agencies under the umbrella authority of the DOTr should install the same type of equipment.

Atty. Manatad clarified as to who will handle the delivery of the machines. Mr. Dimaculangan confirmed that the delivery will be handled by the supplier.

- 5.1.2 On the usage of body scanning machines under Phase I Procurement – The Chairperson asked the total number of machines procured under Phase I. Mr. Dimaculangan informed the Committee that there were twelve (12) units scanning machines procured for six (6) PMOs at two (2) units per PMO and all said units were being utilized. However, some PMOs lack personnel to man the machines, hence, procuring additional operators this year will be simultaneous with the procurement of machines for the second phase.

Ms. Napiere inquired if a person who passed through the body scanning machines still have to go through the metal detector. Mr. Dimaculangan explained that a person will go through the body scanning machine first, then to the walkthrough metal detector and at the same time the baggage will be checked in the baggage x-ray machine.

When asked about the procurement for K9, Mr. Dimaculangan said that the procurement for K9 as part of the security is intended for detection of drugs or other prohibited chemicals.

Ms. Napiere requested for a list of security equipment which were procured by PPA. The Committee agreed that PPD and ASD will submit a list of security equipment procured by PPA. Part of the said list will have to indicate the number of units, the deployment areas, and a statement whether the units were being used and whether there is an operator manning the equipment.

5.1.3 On the basis for the Approved Budget for the Contract (ABC) – The Chairperson informed the Committee that the ABC was based on the price of scanners in Phase I and no new market study was conducted. Ms. Napiere asked if there was a markup in the price where the Chairperson answered that the price is the same for the first and second phase.

5.1.4 After a motion duly made and properly seconded, the Committee resolved that the Pre-Procurement Conference for the Supply, Delivery and Installation of Body Scanning Machines (Phase II), be considered complete and that the project be the subject of procurement and publication/posting.

5.2 Supply and Delivery of Diaper Changers to Port Areas and Buildings

5.2.1 On the deployment of diaper changers – Ms. Perez apprised the Committee that ASD coordinated with the POSD on the areas for deployment which are all PPA operated ports.

Ms. Napiere inquired whether the diaper changers will be delivered to base ports only and if TMOs are included. Mr. Dimaculangan answered that based on the deployment schedule that was presented, the delivery shall be at the PPA Head Office then ASD will send the diaper changers to the base ports based on the deployment schedule.

5.2.2 On whether a market study was conducted to serve as basis of the ABC – Mr. Dimaculangan informed the Committee that the ABC is part of the Annual Procurement Plan (APP) which was based on different canvasses. He explained that during the first pre-procurement conference, the total number of units to be procured is 315. However, there was an observation not to include several PMOs, thus the total number of units to be procured was lowered to 285. However, the amount indicated in the APP was not changed.

Mr. Dimaculangan informed the Committee that ASD will revise the ABC considering the reduction of the number of diaper changers to be procured, based on their current canvass. ASD will likewise request the Controllership Department for the issuance of another CAF.

After a motion duly made and properly seconded, the Committee resolved that the Pre-Procurement Conference for the Supply and Delivery of Diaper Changers to Port Areas and Buildings, be considered complete and that the project be the subject of procurement and publication/posting, subject to the correction of the ABC and total number of units to be procured.

5.3 Supply and Delivery of Fifteen (15) Units Manlift

- 5.3.1 Mr. Dimaculangan informed the Committee that one of the requirements for the procurement of motor vehicles is the approval from the Department of Budget and Management (DBM), which they have already secured from the DBM.

The Vice-Chairperson inquired if the DBM approval includes the cost of the equipment and the budget for the project. The Chairperson stated that the authority granted to purchase motor vehicles includes the quantity, type, intended use and the costing. Mr. Dimaculangan added that DBM is coordinating with PPA's Controllership Department with regard the availability of funds.

- 5.3.2 The Chairperson inquired the uses of the manlift. Mr. Dimaculangan told the Committee that the manlift is also considered as multi-purpose vehicle. It can be used for the replacement of busted light bulbs in the ports, especially the ones in the high-altitude areas. Manlift can be used also for trimming branches of the trees and can be used during rescue operations.

The Vice-Chairperson asked if the procurement for manlift will complement firefighting equipment where Mr. Dimaculangan answered that considering that manlift is a multi-purpose vehicle that can reach high-altitude areas, it can also be used during rescue operations in case of fire.

With regard the person assigned to operate the vehicle, Mr. Dimaculangan stated that it could be from ASD or ESD, considering that the equipment will be utilized for maintenance.

- 5.3.3 Ms. Napiere inquired if there will be a second phase of procurement for the same equipment. Mr. Dimaculangan replied that since not all PMOs will be provided with the manlift, a second phase of procurement is being considered. He explained that the number of units to be procured is based on the budget allocated by the Authority.

- 5.3.4 Ms. Napiere inquired if there is a market study conducted to serve as the basis of the ABC. Mr. Dimaculangan explained that the DBM also made a study and part of the approval for the project are the essential data such as the cost and the budget.

- 5.3.5 Atty. Guillamon inquired asked how ASD came up with the list of the recipient PMOs. Mr. Dimaculangan explained that said PMOs have minimal equipment at the ports and based on some reports PMO personnel borrow equipment from the port operator, if the need arises.

- 5.3.6 After a motion duly made and properly seconded, the Committee resolved that the Pre-Procurement Conference for the Supply and Delivery of Fifteen (15) Units Manlift, be considered complete and that

the project be the subject of procurement and publication/posting, considering all the comments presented by the BAC Members.

5.4 Supply and Delivery of Tactical Uniforms and Tactical Boots for Port Police Personnel

5.4.1 Mr. Dimaculangan clarified that a total of 217 sets of Tactical Uniforms and 217 pairs of Tactical Boots will be procured. He stated that 217 is the actual number of Port Police personnel. They did not consider yet the ongoing hiring of port police personnel.


5.4.2 After a motion duly made and properly seconded, the Committee resolved that the Pre-Procurement Conference for the Supply and Delivery of Tactical Uniforms and Tactical Boots for Port Police Personnel, be considered complete and the project be the subject of procurement and publication/posting.

6. There being no other matters to be discussed, the meeting adjourned at 12:10 p.m.

Certified Correct:

Approved:


LOLITA D. SOLIS
Head, BAC Secretariat


MARK JON S. PALOMAR
Chairperson, BAC-PGCS