

BIDS AND AWARDS COMMITTEE-TESDA Central Office

**PRE-BID CONFERENCE
PROVISION OF JANITORIAL SERVICES REQUIREMENT FOR TESDA CENTRAL
OFFICE FOR FY 2021**

05 January 2021, Tuesday, 1:00 p.m.
Video Conferencing via Zoom Application

Present:

Bids and Awards Committee:

DDG Lina C. Sarmiento	Chairperson (ODDG-TESDO)
Dir. Ma. Magdalena P. Butad	Member (IAS)
Mr. Artemio C. Del Rosario Jr.	Member (TESDA- ACE Region XII)
Ms. Armela B. Gutierrez	Provisional Member – Technical Expert (AS-GSD)

BAC Secretariat:

Ms. Arcadia Creselda P. Balinas	Member (PD-AS)
Ms. Jela Mae A. Arcano	Member (PD-AS)

Prospective Bidders:

Ms. Marion Maala	D'Triumph Cleaners and Allied Services, Inc.
Mr. Mc Edwin P. Montañes	Philcare Manpower Services

Others:

Ms. Rosa M. Ponce	Minutes Officer (PD-AS)
Melisande Centeno	Administrative Officer (PD-AS)
Vince Lorenz B. Cuya	Administrative Assistant (PD-AS)

Absent:

Bids and Awards Committee:

Dir. David B. Bungallon	Vice-Chairperson (NITESD)
Atty. Marichelle D. De Guzman	Member (ODG-TBS)
Dir. Adzhar A. Albani	Provisional Member-End-User (AS)

BAC Secretariat:

Ms. Maria Gracia P. Dela Rama	Head (PD-AS)
Atty. Jan Michael P. Jaro	Member (ODG)
Mr. Alric G. Subido	Member (GSD-AS)
Mr. Joseph Allen L. Simon	Member (PD-AS)

MINUTES OF THE MEETING

A. CALL TO ORDER

Upon determination of a quorum, the meeting was called to order by DDG Lina C. Sarmiento, the BAC Chairperson, at 1:14 pm.

DDG Sarmiento welcomed everyone including the two (2) prospective bidders' authorized representatives of this *Pre-bid Conference for the Provision of Janitorial Services Requirement for TESDA Central Office for FY2021*.

Ms. Arcadia Creselda P. Balinas, BAC Secretariat member, announced the three (3) potential bidders namely: D'Triumph Cleaners and Allied Services, Inc. and Philcare Manpower Services who signified their intention to participate in this pre-bid activity.

B. DISCUSSION

ISSUES/ CONCERNS	DISCUSSION/ AGREEMENTS
<p>a. Letter to Observers</p>	<p>Ms. Balinas showed proof that invitation letters were emailed to the following Observers on 23 December 2020.</p> <ol style="list-style-type: none"> 1. Transparency and Accountability Network 2. Reallife Foundation Inc. 3. Commission on Audit 4. Philippine Institute for Supply Management 5. Philippine Jesuit Prison Service 6. Philippine Chamber of Commerce and Industry <p>However, the BAC Secretariat confirmed that none of the aforementioned observers signified their attendance.</p> <p>The Chairperson noted the absence of the Observers in the Pre-bid Conference.</p>
<p>b. Publication of the Invitation to Bid</p>	<p>Ms. Balinas informed that the Invitation to Bid (ITB) was posted at the PhilGEPS website and TESDA official website on 23 December 2020.</p> <p>The ITB was also posted by the BAC Secretariat on the bulletin board near the TESDA Gate 1, which is the place reserved for the posting of notices and information on procurement activities.</p> <p>Furthermore, in line with the precautionary health measures being adopted by the agency. Potential bidders were duly informed that this Pre-bid conference will be held via video-conference through Zoom application.</p>
<p>c. Presentation of the General Requirements for Government Procurement</p>	<p>DDG Sarmiento requested the BAC Secretariat to present the General Requirements for Government Procurement.</p> <p>Ms. Balinas proceeded with the presentation of the General Requirements for Government Procurement.</p> <p>✓ PURPOSE:</p> <p>She explained that the purpose of the meeting was to give an opportunity to the prospective bidders to seek clarifications should they have concerns regarding the whole bidding process, including the bidding documents. Then she emphasized that any discussion/agreement during the pre-bid conference shall not modify the terms in the Bidding Documents, unless in writing and issued through a Supplemental Bid Bulletin.</p>

✓ **BIDDER'S ELIGIBILITY (Legal, Financial and Technical):**

a. Legal Documents

- Valid PhilGEPS Registration Certificate (Platinum Membership) (all pages); or
- Registration certificate from Securities and Exchange Commission (SEC), Department of Trade and Industry (DTI) for sole proprietorship, or Cooperative Development Authority (CDA) for cooperatives or its equivalent document; and
- Mayor's or Business Permit issued by the city or municipality where the principal place of business of the prospective bidder is located, or the equivalent document for Exclusive Economic Zones or Areas; and
- Tax Clearance per E.O. No. 398, s. 2005, as finally reviewed and approved by the Bureau of Internal Revenue (BIR).

b. Technical Documents

- Statement of all on-going government and private contracts, including contracts, awarded but not yet started, if any, whether similar or not similar in nature and complexity to the contract to be bid; and
- Statement of Single Largest Completed Contracts (SLCC) similar to the contract to be bid except under conditions provided for in Sections 23.4.1.3 and 23.4.2.4 of the 2016 revised IRR of RA No. 9184, within the relevant period as provided in the Bidding Documents;

Bid Data Sheet ITB Clause 5.3 Pursuant to Section 23.4.1.3 of the 2016 revised IRR of RA No.9184, the Bidder shall have an SLCC that is at least one (1) contract similar to the Project the value of which, adjusted to current prices using the PSA's Consumer Price Index (CPI), must be at least equivalent to fifty percent (50%) of the ABC.

For this purpose, contracts similar to the Project shall be:

- a. *any contract on the Provision of Janitorial Services, and must be at least equivalent to fifty percent (50%) of the ABC of the bid lot/s; and*
- b. *completed within five (5) years prior to the deadline for the submission and receipt of bids.*

- Original copy of Bid Security. If in the form of a Surety Bond, submit also a certification issued by the Insurance Commission; or Original copy of Notarized Bid Securing Declaration;

Bid Data Sheet ITB Clause 14.1 The bid security shall be in the form of a Bid Securing Declaration (Please see Section VIII of the Bid Documents), or any of the following forms and amounts:

1. *The amount of not less than **2% of ABC** (please refer to bid documents), if bid security is in **cash, cashier's/manager's check, bank draft/guarantee or irrevocable letter of credit**; or*
2. *The amount of not less than **5% of ABC** (please refer to bid documents), if bid security is in **Surety Bond** callable upon demand issued by a surety or insurance company duly certified by the Insurance Commission.*

*The bid security in the form of cashier's/manager's check shall be payable to **TECHNICAL EDUCATION AND SKILLS DEVELOPMENT AUTHORITY**.*

- Conformity with the Technical Specifications, which may include production/delivery schedule, manpower requirements, and/or aftersales/parts, if applicable; (Section VI and Section VII of the Bid Documents); and
- Original duly signed Omnibus Sworn Statement (OSS); and if applicable, Original Notarized Secretary's Certificate in case of a corporation, partnership, or cooperative; or Original Special Power of Attorney of all members of the joint venture giving full power and authority to its officer to sign the OSS and do acts to represent the Bidder.

Ms. Balinas advised the bidders to use the respective prescribed forms attached in the Bidding Document and ensure to fill-out and sign the forms by the authorized bidder's representative.

c. Financial Documents

- The Supplier's audited financial statements, showing, among others, the Supplier's total and current assets and liabilities, stamped "received" by the BIR or its duly accredited and authorized institutions, for the preceding calendar year which should not be earlier than two (2) years from the date of bid submission; and
- The prospective bidder's computation of Net Financial Contracting Capacity (NFCC); or

Computation of NFCC:

NFCC = [(Current assets minus current liabilities) (15)] minus the 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

The values of the domestic bidder's current assets and current liabilities shall be based on the latest Audited Financial Statements submitted to the BIR.

*Net Financial Contracting Capacity (NFCC), calculated as follows:
[(Current Assets–Current Liabilities) x 15] – [Value of all
outstanding contracts]*

- A committed Line of Credit from a Universal or Commercial Bank in lieu of its NFCC computation.

If the prospective bidder opts to submit a committed Line of Credit, it must be at least equal to ten percent (10%) of the ABC to be bid. If issued by a foreign universal or commercial bank, it shall be confirmed or authenticated by a local universal or commercial bank.

- "CLASS B" DOCUMENT

Joint Venture Agreement, if applicable.

✓ **Amended RULE II, SECTION 12(a) of 2004 Rules of Notarial Practice:**

"Competent Evidence of Identity – The phrase "competent evidence of identity" refers to the identification of an individual based on:

"(a) At least one current identification document issued by an official agency bearing the photograph and signature of the individual, such as but not limited to passport, driver's license, Professional Regulations Commission ID, National Bureau of Investigation clearance, police clearance and all other IDs issued by the Government agencies

✓ **DOCUMENTS REQUIRED DURING THE BID OPENING:**

a. First envelope shall contain the following:

1. Authority of Signatory
2. Valid PhilGEPS Registration Certificate or SEC/DTI/CDA Registration Certificate, Mayor's or Business Permit and Tax Clearance;
3. Statement of All On-Going contracts including Awarded but not yet Started Contracts;
4. Statement of Single Largest Completed Contracts similar to the contract to be bid;
5. Bid Security;
6. Statement of Compliance with the Delivery Schedule;
7. Statement of Compliance with the Technical Specifications;
8. Bidder's Omnibus Sworn Statement;
9. Audited Financial Statement stamped "received" by the BIR;
10. NFCC or Committed Line of Credit; and
11. JVA if applicable.

b. Second envelope shall contain the Financial Component

1. Original of duly signed and accomplished Financial Bid Form
2. Original of duly signed and accomplished Price Schedule(s).

✓ **DOCUMENTS TO BE SUBMITTED BY THE LOWEST CALCULATED BIDDER FOR POST QUALIFICATION PURPOSES:**

- *Proof of Completion of Single Largest Completed Contract, which shall be a copy of any verifiable document(s) such as but not limited to the following:*
 - *Contract/s or Purchase Order/s;*
 - *Corresponding Sales Invoice/s;*
 - *Official Receipt/Cash Receipt/Collection Receipt; and*
 - *Certificate of Performance Evaluation (template of which is attached as Annex A of the Bidding Documents);*
- *Proof of Ongoing/Outstanding Contracts as identified in the Statement of Ongoing Contracts Awarded but not yet Started Contracts, which shall include any verifiable document(s) such as but not limited to the following:*
 - *Notice of Award;*
 - *Contract/s or Purchase Orders;*
 - *Notice to Proceed*
- *Brochures, if Required*
- *Samples, if Required;*
- *Other Appropriate Licenses & Permits*
- *Latest Annual Income Tax Returns (BIR Form 1701 or 1702) as filed through the Electronic Filing and Payment System (eFPS)*
- *Either of the following:*
 - *Value Added Tax Returns (Forms 2550M and 2550Q) covering the previous six (6) months as filed thru eFPS; or*
 - *Percentage Tax Returns (Form 2551M) covering the previous six (6) months as filed thru eFPS, Pursuant to BIR Revenue Regulations No. 03-2005 dated 16 February 2005.*
- *Valid and updated PhilGEPS Certificate of Registration (Platinum Membership) including the updated list of eligibility documents as stated in Annex "A" of said Certificate of Registration.*

Documents submitted during post-qualification as part of post-qualification documents must be certified by the authorized representative to be true copy/ies of the original.

✓ **COMMON REASONS FOR DISQUALIFICATION OBSERVED DURING THE VARIOUS STAGE OF PROCUREMENT PROCESS**

Ms. Balinas reminded the prospective bidders of the common reasons for disqualification such as:

DURING BID OPENING

- Late Submission;
- Incomplete Submission;
- Non-compliance with Notarial Rules (use of Cedula is not allowed); and
- Failure to sign relevant documents.

DURING SUBMISSION OF ADDITIONAL REQUIREMENTS BY THE LCB

- Failure to submit the required additional documents;
- Late submission of additional documents;

DURING POST-QUALIFICATION

- Failure to pass sample testing criteria;
- Expired license/permits; and
- False information.


	<p>At the end of the presentation, the following contact details of the BAC Secretariat were provided if ever prospective bidders have questions:</p> <ul style="list-style-type: none"> - email address: bacsecretariat@tesda.gov.ph - Telephone Number: (02) 8893-8296 																		
<p>d. Submission of Request for Clarification e. Issuance of Bid Bulletin f. Submission of Bids and Bid Opening</p>	<p>Likewise, she reminded the prospective bidders on important dates to remember:</p> <table border="1" data-bbox="628 479 1493 645"> <thead> <tr> <th>Particulars</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>Last Day of Submission of Written Clarification</td> <td>January 8, 2021</td> </tr> <tr> <td>Last Day of the issuance of Supplemental Bid Bulletin</td> <td>January 11, 2021</td> </tr> <tr> <td>Submission and Opening of Bids</td> <td>January 18, 2021 at 9:00 am</td> </tr> </tbody> </table>	Particulars	Date	Last Day of Submission of Written Clarification	January 8, 2021	Last Day of the issuance of Supplemental Bid Bulletin	January 11, 2021	Submission and Opening of Bids	January 18, 2021 at 9:00 am										
Particulars	Date																		
Last Day of Submission of Written Clarification	January 8, 2021																		
Last Day of the issuance of Supplemental Bid Bulletin	January 11, 2021																		
Submission and Opening of Bids	January 18, 2021 at 9:00 am																		
<p>g. Question and Answer</p>	<p>DDG Sarmiento opened the table for the bidders' questions and clarifications</p> <table border="1" data-bbox="564 725 1503 1957"> <thead> <tr> <th>Prospective Bidder</th> <th>Issues and Concerns</th> <th>BAC Response</th> </tr> </thead> <tbody> <tr> <td data-bbox="564 792 788 869">D'Triumph Cleaners and Allied Services Inc.</td> <td data-bbox="788 792 1145 981"> <p>Q1: On the said attachments identified in the Statement of Ongoing Contracts such as Notice of Award; (b) Contract/s or Purchase Order/s; and (c) Notice to Proceed can be submitted during post-qualification.</p> </td> <td data-bbox="1145 792 1503 981"> <p>Ms. Balinas replied that the <i>Statement of the Prospective Ongoing Contracts</i> shall be submitted during the Bid Opening. While its attachment shall be submitted during the Post-qualification.</p> </td> </tr> <tr> <td></td> <td data-bbox="788 981 1145 1205"> <p>Q2: On the requirement stated under Item No. 3 in Section VII-Technical Specification of the bidding documents, if this refers to clearances such as from SSS, PhilHealth, PagIBIG and other appropriate licenses need to be submitted.</p> </td> <td data-bbox="1145 981 1503 1205"> <p>The requirement refers to the <i>Certificate of Undertaking by the Service Provider</i> to be submitted during the Bidding Opening.</p> </td> </tr> <tr> <td></td> <td data-bbox="788 1205 1145 1429"> <p>Q3: On the requirement stated under Item No. 5 in Section VII-Technical Specification of the Bidding Documents, if this requires prospective bidders to provide the TESDA NCII Certificate on Housekeeping of all ninety-one (91) personnel before Bid Opening.</p> </td> <td data-bbox="1145 1205 1503 1429"> <p>The requirement refers to the <i>Certificate of Undertaking by the Service Provider</i> to be submitted during Bid Opening.</p> </td> </tr> <tr> <td></td> <td data-bbox="788 1429 1145 1675"> <p>Q4: Asked if the increase in SSS, PhilHealth premium (3.5%) rates/fees effective January 2021 was considered in the computation of ABC so they can incorporate it in their bid preparation.</p> <p>Moreover, expressed her observation on the decrease in terms of the number of supplies.</p> </td> <td data-bbox="1145 1429 1503 1675"> <p>Ms. Gutierrez confirmed the computation of its ABC was based in Year 2021 except for the SSS, since its new rates was not yet issued during their ABC derivation in December 2020.</p> </td> </tr> <tr> <td></td> <td data-bbox="788 1675 1145 1957"> <p>Q5: On the <i>effectivity date</i> of the increase in SSS, Philhealth Employer share on <i>January 1, 2021</i> pursuant to SSS Circular No. 2020-33 which coincides with the <i>Bid Opening Date</i></p> <p>Requested the Procuring Entity guidance on the basis of their SSS computation (old or new) given the significant impact on the cost.</p> </td> <td data-bbox="1145 1675 1503 1957"> <p>Clarifications on this case will be issued through a supplemental bid bulletin.</p> </td> </tr> </tbody> </table>	Prospective Bidder	Issues and Concerns	BAC Response	D'Triumph Cleaners and Allied Services Inc.	<p>Q1: On the said attachments identified in the Statement of Ongoing Contracts such as Notice of Award; (b) Contract/s or Purchase Order/s; and (c) Notice to Proceed can be submitted during post-qualification.</p>	<p>Ms. Balinas replied that the <i>Statement of the Prospective Ongoing Contracts</i> shall be submitted during the Bid Opening. While its attachment shall be submitted during the Post-qualification.</p>		<p>Q2: On the requirement stated under Item No. 3 in Section VII-Technical Specification of the bidding documents, if this refers to clearances such as from SSS, PhilHealth, PagIBIG and other appropriate licenses need to be submitted.</p>	<p>The requirement refers to the <i>Certificate of Undertaking by the Service Provider</i> to be submitted during the Bidding Opening.</p>		<p>Q3: On the requirement stated under Item No. 5 in Section VII-Technical Specification of the Bidding Documents, if this requires prospective bidders to provide the TESDA NCII Certificate on Housekeeping of all ninety-one (91) personnel before Bid Opening.</p>	<p>The requirement refers to the <i>Certificate of Undertaking by the Service Provider</i> to be submitted during Bid Opening.</p>		<p>Q4: Asked if the increase in SSS, PhilHealth premium (3.5%) rates/fees effective January 2021 was considered in the computation of ABC so they can incorporate it in their bid preparation.</p> <p>Moreover, expressed her observation on the decrease in terms of the number of supplies.</p>	<p>Ms. Gutierrez confirmed the computation of its ABC was based in Year 2021 except for the SSS, since its new rates was not yet issued during their ABC derivation in December 2020.</p>		<p>Q5: On the <i>effectivity date</i> of the increase in SSS, Philhealth Employer share on <i>January 1, 2021</i> pursuant to SSS Circular No. 2020-33 which coincides with the <i>Bid Opening Date</i></p> <p>Requested the Procuring Entity guidance on the basis of their SSS computation (old or new) given the significant impact on the cost.</p>	<p>Clarifications on this case will be issued through a supplemental bid bulletin.</p>
Prospective Bidder	Issues and Concerns	BAC Response																	
D'Triumph Cleaners and Allied Services Inc.	<p>Q1: On the said attachments identified in the Statement of Ongoing Contracts such as Notice of Award; (b) Contract/s or Purchase Order/s; and (c) Notice to Proceed can be submitted during post-qualification.</p>	<p>Ms. Balinas replied that the <i>Statement of the Prospective Ongoing Contracts</i> shall be submitted during the Bid Opening. While its attachment shall be submitted during the Post-qualification.</p>																	
	<p>Q2: On the requirement stated under Item No. 3 in Section VII-Technical Specification of the bidding documents, if this refers to clearances such as from SSS, PhilHealth, PagIBIG and other appropriate licenses need to be submitted.</p>	<p>The requirement refers to the <i>Certificate of Undertaking by the Service Provider</i> to be submitted during the Bidding Opening.</p>																	
	<p>Q3: On the requirement stated under Item No. 5 in Section VII-Technical Specification of the Bidding Documents, if this requires prospective bidders to provide the TESDA NCII Certificate on Housekeeping of all ninety-one (91) personnel before Bid Opening.</p>	<p>The requirement refers to the <i>Certificate of Undertaking by the Service Provider</i> to be submitted during Bid Opening.</p>																	
	<p>Q4: Asked if the increase in SSS, PhilHealth premium (3.5%) rates/fees effective January 2021 was considered in the computation of ABC so they can incorporate it in their bid preparation.</p> <p>Moreover, expressed her observation on the decrease in terms of the number of supplies.</p>	<p>Ms. Gutierrez confirmed the computation of its ABC was based in Year 2021 except for the SSS, since its new rates was not yet issued during their ABC derivation in December 2020.</p>																	
	<p>Q5: On the <i>effectivity date</i> of the increase in SSS, Philhealth Employer share on <i>January 1, 2021</i> pursuant to SSS Circular No. 2020-33 which coincides with the <i>Bid Opening Date</i></p> <p>Requested the Procuring Entity guidance on the basis of their SSS computation (old or new) given the significant impact on the cost.</p>	<p>Clarifications on this case will be issued through a supplemental bid bulletin.</p>																	

		<p>Q6: She asked if TESDA will stick to the implementing guidelines by DOLE relative to the query on the bid offer if less than the prescribed 10% minimum Admin Fee will be a ground for Disqualification.</p>	<p>Ms. Gutierrez replied that is not a ground for disqualification based on the earlier declaration by Dir. Butad that it is only the agency minimum requirement. And that the total bid should not go below the ABC</p>
		<p>The prospective bidder revealed that their company is being governed by DOLE. And, as a bidder, they are bound to comply with the implementing guidelines by DOLE. Otherwise, they will not be issued a Certificate of Registration from DOLE.</p> <p>Consequently, its Administrative Overhead Cost implementation will not be less than the prescribed 10%.</p>	<p>Dir. Butad clarified that actually it will depend on the bidder as to how much percent of its Admin Cost, they will allow. On condition that its bid proposal should not exceed the procuring entity's ABC.</p>
		<p>Q7: On the situation that the bidder will offer the Supplies <i>free of charge or Zero</i>, if allowed or acceptable.</p>	<p>Dir. Butad replied that by legal definition, those specific supplies with no or zero amount means all expenses for these, whenever awarded will be all charged to the bidder.</p>
	Philcare Manpower Services	<p>Q8: On the prescribed 10% minimum admin fee, if followed.</p>	<p>Ms. Gutierrez confirmed they use the prescribed 10% minimum admin fee.</p>
		<p>Q9: On the situation that, the bid offer is less than the prescribed 10% minimum Admin Fee, if it will not be a ground for Disqualification.</p>	<p>Dir. Butad replied that the 10% minimum Admin Fee is only the agency minimum requirement used in deriving the ABC. She emphasized the bottom-line in this case is that the bid offer should not go below ABC.</p>

ADJOURNMENT

There being no other matters to be discussed, the meeting adjourned at 3:19 p.m.

Prepared by:


ROSA M. PONCE
 Minutes Officer

Reviewed by:


ARCADIA CRESELDA P. BALINAS
 BAC Secretariat Member

Approved by:


DDG LINA C. SARMIENTO
 BAC Vice Chairperson