



BIDS AND AWARDS COMMITTEE (BAC)
Minutes of the Meeting
17 July 2020
Conference Room, Office of the Chief Regulator
And via Google meet

ATTENDANCE:

BAC:

DA Evelyn B. Agustin - Chairperson
DA Lee Robert M. Britanico - Vice-Chairperson
DM Joel A. Dominguez
DM Victor John G. Dizon
DM Virginia V. Octa - Provisional Member / End User

Technical Working Group (TWG) - Security Services

Ramon A. Javier- Head
Jasper Allen Barrientos
Emelita Romero
Maria Theresa V. Makiling
Christine Agatha Villanueva

Secretariat:

ADA Christopher D. Chuegan - Head
Lorna C. Medina
Justine Irish C. Ignacio
Ma. Carla N. Benito
Ranjev M. Garcia
Sir Gil P. Maravilla

Prospective Bidders:

Jessica Ibita - Anchor Human Resource and Dev't Corporation
Lorelei Alan - Intertraffic Transport Corporation

Observer:

Jan Vitug - Office of the Government Corporate Council (OGCC)

AGENDA

1. Pre-bid Conference for the Procurement of Janitorial Services Provider CY 2020 (Contract No. RO-PG2020-003);
2. Documents on Alternative Methods of Procurement Requiring Action;
3. Other Matters.



I. CALL TO ORDER

The meeting was called to order at 1:08 P.M. by the Chairperson.

II. CERTIFICATION OF QUORUM

The Secretariat confirmed the presence of a quorum for Item 1 & 2 with five out of the five members of the BAC present. Noting that DA Britanico, DM Dizon and DM Octa joined via Google Meet.

III. APPROVAL OF THE AGENDA

The Chairperson enumerated the Agenda, as contained in the Notice of Meeting dated 10 July 2020.

The Chairperson asked whether there were documents to be discussed for Item 2. ADA Chuegan responded in the affirmative. The Chairperson asked the BAC Members and Secretariat whether there were any other matters that need to be discussed. No other matter was brought up to the BAC. DM Dominguez moved to approve the Agenda, which was seconded by DM Dizon.

IV. DISCUSSIONS

A. Pre-bid Conference for Contract No. RO-PG2019-001

1. The Chairperson asked the Secretariat whether Observers have been invited. ADA Chuegan answered that the Observers were invited via email at least five (5) days before the meeting as prescribed in the 2016 Revised Implementing Rules and Regulations (IRR) of R.A. 9184. Mr. Jan Vitug from OGCC joined via Google Meet as observer.
2. The Chairperson asked the Secretariat whether there are participants from prospective bidders joining the meeting. ADA Chuegan answered in the affirmative. The Chairperson instructed the prospective bidders who joined via Google Meet to state their name and the company they represent. The representatives were Ms. Jessica Ibita from Anchor Human Resources and Dev't Corporation and Ms. Lorelai Alan from Intertraffic Transport Corporation.
3. The Chairperson emphasized that the Pre-bid Conference is open to all prospective bidders and the minutes of meeting shall be prepared not less than five (5) calendar days after this Pre-bid Conference and shall be made available to the prospective bidders upon written request. The Chairperson

also stressed that the purpose of this Pre-bid Conference is to clarify and explain the requirements, the terms and conditions and specifications stipulated in the Bidding Documents relative to the procurement of Janitorial Services Provider CY 2020.

4. The Chairperson instructed the TWG to present and discuss the salient features of the bidding documents.
5. Mr. Javier presented the Invitation to Bid (ITB) and advised the prospective bidders to refer to the BAC Advisory on Conduct of Procurement in line with the Community Quarantine being implemented by the government and the MWSS RO Office Order No. 55 regarding the Interim Quarantine and Social Distancing Protocols for the steps on buying and submission of the bidding document. He stressed that the deadline of submission of bid is on July 29, 2020 at 11:30 AM and it will be opened on the same day at 1:00 PM.
6. Mr. Javier then discussed the bid data sheet as follows:

BID DATA SHEET

- a. ITB Clause 1.1;
The Procuring Entity is the **METROPOLITAN WATERWORKS AND SEWERAGE SYSTEM (MWSS) REGULATORY OFFICE (RO)**.
The name of the Contract is **JANITORIAL SERVICES PROVIDER AGREEMENT**.
The identification number of the Contract is **RO-PG2020-003.**
- b. ITB Clause 1.2;
The lots and references are, as provided in **Section III (2) and IV of the Terms of Reference (TOR)**:

Section III. ADDITIONAL TECHNICAL REQUIREMENTS

1. Personal Data Sheets of at least eight (8) qualified prospective cleaners where the MWSS RO shall select the needed Six (6) cleaners to be deployed with attached documents to support their minimum qualifications, as follows;
 - 1.1 Duly signed commitment letter that he/she agrees to be deployed at the MWSS RO effective upon receipt of the Notice to Proceed ("NTP") if the contract is awarded;
 - 1.2 Certificate of employment with at least two (2) years of work-related experience within the past five (5) years;
 - 1.3 Educational Attainment (Scholastic record) of at least Grade 10 or its equivalent;

- 1.4 Medical Certificate certifying the prospective cleaner's fitness to work;
- 1.5 Certificate of passing the required drug test duly conducted by a government-accredited testing institution;
- 1.6 NBI or Police Clearance.

Section IV. SCHEDULE OF REQUIREMENTS

Schedule 1: From the issuance of NTP up to a period of twelve (12) months. Requirement: Six (6) cleaners for deployment at the new MWSS RO building.	
Eight (8) hours/day for six (6) days a week	No. of Cleaners
Third Floor (Office of the Chief Regulator and common areas)	One (1)
Third Floor (Administration and Legal Affairs and Common Areas)	One (1)
Second Floor (Financial Regulation and Common Areas)	One (1)
Second Floor (Technical Regulation and Common Areas)	One (1)
Ground Floor (Customer Service Regulation Area and Common Areas)	One (1)
Surrounding Grounds, Parking, and Minor repairs (Team Leader-Admin Dept.)	One (1)
Total	6 (Six)

In case the transfer to the New RO Building is delayed, the schedule below shall be followed:

Schedule 2: From the issuance of NTP up to a period of twelve (12) months. Requirement: Six (6) cleaners for deployment at the existing MWSS RO premises at the 3rd Floor, Engineering Bldg., MWSS Complex, Katipunan Ave., Balara, Q.C.	
Eight (8) hours duty per day for six (6) days a week	No. of Cleaners
1. Office of the Chief Regulator + Ladies comfort room (alternate)	One (1)
2. Customer Service Regulation + Ladies' comfort room	One (1)
3. Financial Regulation Area + Technical Regulation Area	One (1)
4. Admin and Legal Affairs + Men's Comfort room (alternate)	One (1)

Schedule 2: From the issuance of NTP up to a period of twelve (12) months. Requirement: Six (6) cleaners for deployment at the existing MWSS RO premises at the 3rd Floor, Engineering Bldg., MWSS Complex, Katipunan Ave., Balara, Q.C.	
Eight (8) hours duty per day for six (6) days a week	No. of Cleaners
5. All Common Areas + Men's Comfort room + Admin and Legal Affairs (Alternate)	One (1)
6. Grounds and parking, minor repairs, and maintenance + Designated as the Team Leader	One (1)
Total	Six (6)

c. ITB Clause 12.1(b);

Please refer to Section III of the TOR:

Section III. ADDITIONAL TECHNICAL REQUIREMENTS

The Bids and Awards Committee ("BAC"), aside from the cost, shall take into consideration additional technical requirements in the determination of the winning bid. Such additional technical requirements shall be added in evaluating the Technical Proposal of the bidder. Compliance of the bidder with the said additional technical requirements shall be determined using a "*pass or fail system*," provided, however, that the BAC may require the presentation of original documents or materials in order to support the bidder's compliance with the given set of parameters during the post-qualification. The following documents shall be submitted:

1. Personal Data Sheets of at least eight (8) qualified prospective cleaners where the MWSS RO shall select the needed six (6) cleaners to be deployed with attached documents to support their minimum qualifications, as follows:
 - 1.1 Duly signed commitment letter that he/she agrees to be deployed at the MWSS RO effective upon receipt of the Notice to Proceed ("NTP") if the contract is awarded;
 - 1.2 Certificate of employment with at least two (2) years of work-related experience within the past five (5) years;
 - 1.3 Educational Attainment (Scholastic record) of at least Grade 10 or its equivalent;
 - 1.4 Medical Certificate certifying the prospective cleaner's fitness to work;

- 1.5 Certificate of passing the required drug test duly conducted by a government-accredited testing institution;
- 1.6 NBI or Police Clearance.
2. Affidavit of Compliance with the Labor Code of the Philippines and/or that the Contractor has never been adjudged liable in any labor case with the National Labor Relations Commission ("NLRC");
3. Duly signed Commitment Letter to provide the following brand-new equipment, tools, supplies and materials to be assigned and made available to the MWSS RO from the date of NTP, if the contract is awarded;

Equipment and Tools for Cleaning:

Description	No. of units
1. Floor Polisher	3
2. Wet & Dry Vacuum Cleaner	3
3. Wet Floor Signs	10
4. Push Cart / Utility Cart	4
5. Garbage Hauler	4
6. Utility Ladder	4
7. And any other essential tools or equipment necessary in carrying out the cleaning services	

Supplies and Materials:

ITEMS	
Ceiling Brooms	Polisher Brush (Cabo)
Cloth Dusters	Polisher Brush (Nylon)
Crystal Brite	Polishing Pad 16"
Dust Pans	Rubber Force Pump
Gas/Dust Masks	Scrubbing Pad 16"
Eye Goggles	Scrubbing Pad 20"
Garbage Bags	Soft Broom
Glass Squeegee	Spray Gun
Hand Brushes	Steel Wool
Hand Gloves	Stick Broom
Mop Handle (regular)	Stripping Pad 16"
Mop Handle (wide)	Stripper All Purpose
Plastic Pales	Toilet Brush
	Wax Stripper
And other items necessary in carrying out the services	

7. Mr. Javier stressed that the TWG does not provide volume/quantity on the supplies and materials since the prospective bidders have the expertise to identify how much they will need and what is important is the sufficiency of the supplies and materials to be used to perform the duties. Ms. Alan raised that the volume/quantity of the supplies and materials can only be identified upon ocular inspection of the premises especially for them as new bidder and suggested that due to the pandemic, it would be better and advantageous if the volume/quantity of supplies and materials are identified in the Terms of Reference (TOR) since these are regularly used and it could also help other prospective bidders not to conduct ocular. Mr. Javier responded and suggested that the prospective bidders to conduct ocular inspection of the premises since they have the expertise or capability to identify the required volume/quantity.
8. Ms. Ibita asked if it is okay that the End-user is the one to quantify the supplies and materials based on the previous contract for the uniformity of the bid, which is seconded by Ms. Alan. Mr. Javier responded that there was no identified volume/quantity of the supplies and materials on the previous contracts and insisted that the prospective bidders to conduct ocular inspection of the premises since they have the expertise to identify the required volume/quantity. The Chairperson added that the prospective bidders should also conduct ocular inspection to the New MWSS RO Building located at H. Ventura St. corner Katipunan Ave., Balara, Quezon City, which is also needed to consider in quantifying the supplies and materials. Mr. Javier informed the prospective bidders that they can arrange and coordinate to the BAC Secretariat the schedule of their ocular inspection from Monday to Friday, 8:00 AM to 3:00 PM.
9. Mr. Javier continued to discuss the Bid Data Sheet and emphasized that the bid must be submitted at the Ground Floor, MWSS Main Building, MWSS Compound, Katipunan Road, Balara, Quezon City and must be duly received by the BAC Secretariat on or before July 29, 2020, 11:30 AM.
10. Mr. Javier also discussed the Special Conditions of the Contract (SCC) and emphasized the SCC (GCC Clause 6.2) as follows:

Delivery of the services shall be made by the Contractor in accordance with the provisions of the TOR, as follows:

1. Section II. SCOPE OF SERVICES
2. Section IV. SCHEDULE OF REQUIREMENTS
3. Section VI. ADDITIONAL SPECIAL CONDITIONS OF THE CONTRACT

The Contractor shall indemnify and hold harmless the MWSS RO and its officers and employees against any loss, liability, claim, damage, and expense whatsoever (including, but not limited to, any and all expenses whatsoever reasonably incurred in investigating, preparing, or defending

against any litigation commenced or threatened or any claim whatsoever) arising out of or based upon any false representation or warranty or breach or failure by the Contractor to comply with any covenant or agreement made by the Contractor in the Contract or in any other document furnished by the Contractor to the MWSS RO in connection with the Contract.

11. Ms. Alan raised that the TOR is not included in the bidding documents, available to download, which was posted in the website. The BAC Secretariat confirmed and responded that the TOR will be posted in both PhilGEPS website and MWSS RO website and will send a copy to the prospective bidders.
12. Mr. Javier then presented the Bidding Forms and highlighted the Schedule of Prices. He informed the prospective bidders that the TWG included in the line item C. Total Amount to Cleaner and Government of the Breakdown of Cost Component the cost of two sets of uniform per cleaner per year and the cost of pair of Safety Shoes per cleaner per year and stressed that the prospective bidder shall fill in rates and prices for all items described in the Schedule of Prices and if the item is being offered for free, except for those required by law or regulations to be accomplished, the bidder shall put a zero (0) or a dash (-), otherwise, it will be considered non-responsive.
13. Ms. Alan noticed that the administrative cost is in the same line item with the equipment and supplies. Ms. Ibita asked for clarification about the minimum of ten (10) % administrative cost required by the DOLE. Mr. Javier responded that there is an existing Non-policy Opinion issued by the GPPB that the Procuring Entity can't give floor price for the administrative cost and advised the prospective bidders to include the administrative cost in the line item D. Provision for Agency Fee of the Breakdown of Cost Component that also includes equipment and supplies.
14. Ms. Ibita asked for clarification about the eligibility whether they will attach all the contracts for Ongoing or just the matrix. Mr. Javier answered that they can attach only the matrix as long as all the details are complete and encouraged the prospective bidders to submit the contract since only the Single Largest Completed Contract is required.
15. Ms. Alan asked for clarification about the shuttle service mentioned on the MWSS RO Office Order No. 55 regarding the Interim Quarantine and Social Distancing Protocols. Mr. Javier responded that the shuttle service is only for MWSS RO Employees however, since there is a pandemic, janitors were also accommodated for humanitarian consideration as this was not anticipated.
16. Ms. Alan also asked when will be the last day to send queries. The Chairperson answered that the prospective bidders may send their queries 10

days prior to the submission of bids which is on July 19, 2020, since it falls on Sunday, it will be moved on the next day which is on July 20, 2020, Monday.

17. Ms. Ibita asked for clarification if the payment for bidding documents can be directly deposited on the MWSS RO account and send a copy of the deposit slip to the Secretariat. Mr. Javier responded that the prospective bidders may refer to the ITB for the steps on buying the bidding documents. Ms. Ibita added if they can send personnel to the MWSS RO to buy the bidding documents. Mr. Javier responded that they can but need first to contact the office since there are safety protocols being implemented.
18. The Chairperson added that if the BAC decides to amend any provision of the bidding documents, it will be in writing and will issue Supplemental Bulletin at least seven (7) calendar days before the deadline of submission of bids. If the prospective bidders have any clarification after this conference, on any provision of the bidding documents, it should be done in writing within 10 calendar days before the dead line of submission of the bids and the BAC will respond through Supplemental Bulletin at least seven (7) calendar days before the opening of the bids and will send the same to the prospective bidders who bought bidding documents. She emphasized that in any rate the said Supplemental Bulletin will be posted in the PhilGEPS Website and MWSS RO website. She also stressed that it shall be the responsibility of the prospective bidders who bought the bidding documents to secure a copy of any Supplemental Bulletin issued by the BAC.
19. Ms Alan asked that once they deposited in the bank the payment for the bidding documents, how they will secure a copy of the bidding documents. Mr. Javier responded that the prospective bidders may download the bidding documents in the PhilGEPs website and MWSS RO website. ADA Chuegan added that once the payment is confirmed, the prospective bidders may drop by in the office and the Secretariat will provide complete set of ring bound bidding documents including the Supplemental Bulletin that will be issued by the BAC.
20. There being no other questions and clarifications, the Chairperson excused the prospective bidders, observer and the TWG.

B. Documents on Alternative Methods of Procurement Requiring Action

Discussion on documents on alternative method of procurement requiring action.


C. Other Matters

No Other Matters to be discussed.

V. ADJOURNMENT

There being no other matters to discuss, the meeting was adjourned at 2:21 PM.

PREPARED BY:


CHRISTOPHER D. CHUEGAN
Secretariat

APPROVED BY:

(Sgd.) **EVELYN B. AGUSTIN**
Chairperson