

## MINUTES OF PRE-BID CONFERENCE

Upgrading of Track Oval at MSU, Marawi City, Lanao del Sur

January 31, 2019 (Tuesday) 10:00 a.m.

BAC Bidding Room, Ground Floor

PHILIPPINE SPORTS COMMISSION

RMSC, P. Ocampo Sr. Street, Malate, Manila

Present were:

### A. Prospective Bidders / Visitors:

	Name	Company/Address
1.	Nancy T. De Luis	Spurway Ent. 98 4 <sup>th</sup> St., New Mla., Quezon City
2.	Josefina Rosario	Fiat Construction Services 43 Annapolis St., Greenhilss, San Juan City
3.	Margie Gatbunton	Almatel Construction Services, Inc. Unit 2016 Cityland Tower I, Vito Cruz, Malate, Manila
4.	Severino D. Balagtas, Jr.	Eric Van P. Sesbreno Construction Luyos, San Antonio Nueva Ecija

### A. BAC Members and Staff:

	Names	Position
1.	Atty. Guillermo B. Iroy, Jr.	BAC Chair
2.	Dir. Simeon Gabriel M. Rivera	BAC Vice Chair
3.	Marc Edward Velasco	BAC Member
4.	Manuel G. Bitog	BAC Member
5.	Anna Christine S. Abellana	BAC Member Alternate
6.	Erwin Guillermo	Head, TWG for GSI
7.	Engr. Pedro I. Pineda Jr.	Member, TWG for GSI
8.	Norberto Dinglasan	Member, TWG for GSI
9.	Oscar Papelera	BAC Secretariat Support Staff
10.	Elias Samorin	BAC Secretariat Support Staff
11.	Jun Michael T. Unzo	BAC Secretary
12.	Jeanette B. Dinglasan	BAC Secretariat Support Staff

### B. Observer:

1.	Ethel M. Goh	Procurement Head
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The BAC Chair, who is presiding, called to order the Pre-Bid Conference for the project: Upgrading of Track Oval at MSU, Marawi City, Lanao del Sur, with an Approved Budget for Contract of Two Million Three Hundred Fifty Two Pesos (Php2,352,000.00). The Invitation to Apply for Eligibility and to Bid was posted on PSC Website, Philgeps and Manila Times on January 23, 2019.

The BAC Chair proceeded to acknowledge the presence of the members of the BAC, the Technical Working Group (TWG), the BAC Secretariat and its Support Staff, Procurement Office Head. Commission on Audit (COA) Philippine Chamber of Commerce, Inc. (PCCI), Philippine Constructors Association Inc. (PCAI) and Philippine Institute of Civil Engineers, Inc. (PICE) were also invited, however, no representative were sent during the conference. Before proceeding with the Pre-Bid Conference proper, the Chair acknowledged the presence of the prospective bidders.

(the company name, its address and representatives as listed above were mentioned).

## **BUSINESS MATTERS TAKEN AND DISCUSSED**

## **A. Clarification and discussion of the project:**

The Chairperson started with discussing the requirements. Under the rules and regulations of the Procurement Law, bidders should follow the requirements set by the Agency. All instruction to bidders must be strictly be adhered to otherwise would be considered ineligible.

Prior to the discussion of the requirements for the competitive bidding, prospective bidders are reminded that the Bids and Awards Committee will evaluate the submitted bids using the pass/fail criteria pursuant to the Revised Implementing Rules and Regulations. In addition, prospective bidders are reminded to ensure that submitted bids are in order and in compliance with the requirements as stated in the Bid Documents.

Copies of the Application Form for Eligibility and Checklist for Goods and Services Eligibility & Technical (first envelop) and Financial Component (second envelope), together with the Technical Specifications are provided to all bidders who attended the Pre-Bid Conference. Copy of the Bid Documents is downloadable in the PhilGEPS and those who paid the Bid Documents are provided with a printed copy. All bidders are reminded to read through and follow the Instruction to Bidders and the Bid Data Sheet (BDS) as provided in the Bid Documents to ensure that all submissions during the Opening of Bids are in order and in accordance with the Bid Documents. The following requirements are included in the checklist and discussed.

## **B. Eligibility & Technical (first envelope), Financial Component (second envelope) of the bid, and Instruction to Bidders (ITB), including the explanation of the different documents to be submitted as stipulated on the checklist issued to each participating bidder, were then deliberated and discussed:**

### **b.1. As to Eligibility Documentary Requirements (FIRST ENVELOPE):**

1. The Application Form for Eligibility and Checklist for Infrastructure must state the company, the address, telephone number, Fax No., Specialization, Date of Filing, the General Information such as the Name of the bidder, its office address, telephone number, fax no., email address, authorized managing officer, citizenship, position, designation, and type of organization which is either sole proprietorship, partnership or corporation.
2. *Platinum PhilGEPS Certificate of Registration and Membership in accordance with Section 8.5.2. of this IRR together with the Annex "A". Provided, in case the Registration (DTI, Partnership, Corporation, CDA), Tax Clearance, Mayor's Permit whose validity period had already lapsed/expired before the expiration of the PhilGEPS certificate, the Bidder/s is required to submit a copy of the above-mentioned documents valid as of the date of opening of bids.*
3. Department of Trade and Industry (DTI) Business Name Registration for Sole Proprietorship. Securities and Exchange Commission (SEC) Registration for Corporation/Partnership, CDA Registration for Cooperatives, whichever may be appropriate under existing laws of the Philippines.
4. The Corporation, Cooperative or Partnership's Article of Incorporation, its Constitution and By-Laws, whichever is applicable to the bidder, including its amendments thereto, if any. The General Information Sheet for 2018 shall be submitted in case bidder is a corporation. In case the following document is not applicable, a signed and notarized Statement of Non-Applicability should be submitted.
5. Duly signed and notarized Valid Joint Agreement, in case of Joint Venture. In case bidder does not have Joint Agreement, he must submit a duly signed and notarized Statement of Non-Applicability.
6. Mayor's Permit/Business Permit (valid for the current year).
7. Duly signed and notarized statement of complete and all is ongoing government and on-going private contracts, including contracts awarded but not yet started, if any, whether similar or not in nature and complexity to the contract to be bid for the last five (5) years with copies of contracts. The list shall state the following for each contract:
  - a. Name of clients with contact numbers and addresses;

- b. Date of award of contract;
  - c. Total contract cost;
8. Duly Signed and notarized statement of completed single largest contract that is similar to the contract to be bid, and whose value must be at least fifty percent (50%) of the ABC.
  9. Income Tax Return (ITR) for 2017, (CTC by the BIR) and Audited Financial Statement (AFS) for 2017, stamped "Received" by the BIR and/or its duly authorized Agency or Banking Institutions. *Income Tax Return for the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> Quarter of 2018 (if applicable). Only Tax returns filed and taxes paid through the BIR Electronic Filing and Payment System (EFPS) shall be accepted.*
  10. Valid PCAB License "B" & Registration for the type and cost of the contract to the bid with Certificate of Health and Safety Officer.
  11. Net Financial Contracting Capacity (NFCC) computation at least equal to ABC or Committed line of credit must be at least equal to ten percent (10%) of the ABC issued by a Commercial or Universal Bank. Provided in case the same is issued by a Foreign Universal / Commercial bank, it shall be authenticated by a local Universal / Commercial Bank.

**b.2. As to Technical Documentary Requirements:**

12. Bid Security
  - Required Bid Security Form
  - Duly Signed and Notarized Bid Securing Declaration or any/either of the following :
    - a) Cash, Check, Cashier's Check, Manager's Check - (2% of the ABC)
    - b) Bank Draft Guarantee or Irrevocable Letter of Credit - (2% of ABC)
    - c) Surety Bond (5% of the ABC), valid 120 days from Opening of Bids, stating therein the Company, its telephone number, Official Receipt Number, Validity period, callable on demand, the bid security amount and accompanied by an Insurance Commission Certificate stating that the surety and/or insurance company is authorized to issue such security
13. Project Organizational Chart;
14. Duly signed and Notarized statement of availability of key personnel that may be used for the Contract, supported with a list of said personnel ( attached photocopies of their PRC license and PTR and should be valid at the time of the opening of bid);
15. Duly signed and notarized statement of availability of equipment, owned, under lease; or a purchase agreement that may be used for the contract supported by a list of said equipment together with proof of ownership or contract of lease.
16. Omnibus Sworn Statement stating the following: (refer to format in BDS, must be notarized. Bidders are to make sure that the statement is duly signed and notarized.
  - a. That the bidder is not blacklisted or barred from bidding by the national government, or any of its agencies, offices, corporations and LGU's, including foreign government/foreign or international financing institutions whose blacklisting rules have been recognized by the GPPB;
  - b. That each of the documents were submitted in satisfaction of the bidding requirements with an authentic copy of the original complete documents, and that all statements and information provided therein are true and correct.
  - c. That it is authorizing the HOPE or the BAC to verify all submitted documents.
  - d. That the signatory is the duly authorized representative of the prospective bidder which was granted full authority to do, execute and perform any and all acts necessary and /or to represent the prospective bidder in the bidding; with the duly notarized Secretary's Certificate attesting to such fact if the prospective bidder is a corporation, partnership or Joint Venture. So, bidder must name the person authorizing to represent during the bidding, in case the Corporation authorizes somebody to represent for and in its behalf. The Commission also requires that there shall be a Secretary Certificate attesting to that fact that the said person is authorize to do so, for and in behalf of the Corporation. If the bidder is a Corporation, bidder is required to submit a Secretary Certificate, or if others, a Special Power of Attorney from the owner, BAC Members will require such as during the bidding to verify if the representative is authorized.
  - e. That it complies with the disclosure provision under Section 47 of RA 9184 in relation to other provisions of RA3019, (Anti Graft law) that the bidder is not related to the HOPE, BAC members, TWG, the BAC Secretariat, the Head of the PMO or the end user unit and the project consultants by consanguinity or affinity up to the third civil degree.
  - f. That it complies with the responsibilities of a prospective or eligible bidder provided in the PBD's.
  - g. That it complies with existing labor laws and standards. Bidders are to make sure that bidder have no case under the labor law.
  - h. That the bidder has no contract terminated by reason of default.

- i. That it 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, or personnel or representative of the government in relation to any procurement project or activity.
- 17. Tax Payers Identification Number/Certificate of Registration.
- 18. Tax Clearance Certificate per Executive Order 398, series of 2005, as finally reviewed and approved by the BIR issued for bidding purposes valid as of the date of Opening of Bids.
- 19. Company Profile;
- 20. Site Inspection Certificate;
- 21. Other documents as stated in the BDS such as Pre-Bid Minutes and Bid Bulletin, including Supplemental Bid Bulletin that may be issued prior to the Opening of Bids, if any.
  - If the Bid qualifies and submitted all documents bidders shall be marked as eligible and hence shall be eligible for the opening of its financial envelope.

**b.3. As to the Financial Envelope Requirements (SECOND ENVELOPE)**

- 1. The financial envelope shall contain the following information/documents and be opened only if the bidder has complied with the requirements in the Eligibility or Technical Envelope:
  - a. Duly signed bid prices in the Bill of Quantities/Proposal Form;
  - b. Duly signed detailed estimates;
  - c. Duly signed cash flow by quarter and payment schedule;
  - d. Duly signed construction Schedule and S-Curve

Please note that any missing document in the checklist is a ground for outright rejection of the bid.

**b.4. Instruction to Bidders/Open Forum and Miscellaneous**

- A. Bids should be submitted in chronological order as indicated in the checklist of requirements.
- B. All pages of the bid should be signed by the authorized representative of the company in order to avoid unauthorized insertions and as stated in the Instruction to Bidders in the Bid Documents.
- C. All original documents should be presented during the Opening of the Bids.
- D. All prospective bidders are reminded that the three (3) envelopes to be submitted should be brown in color and shall be labeled properly, as shown in the sample.
  - First envelope (with the original copies of the documents) and two (2) copies (Copy 1 and Copy 2) which will be placed in a mother envelope.
  - Prospective bidders are free to improvise but reminded to strictly comply with the color.
  - Envelopes should be properly signed, sealed and labeled.
  - Bidders shall put the word "complied" in each of the technical specification, to manifest that the technical specification has been complied with.
  - Reiteration of the submission of Certificate of Non-Applicability for certain items where it is appropriate.
  - The above-mentioned requirements shall be submitted during the Opening of Bids scheduled on February 12, 2019 at 10:00 a.m. at the same venue.
- E. It was reiterated that the PhilGEPS certificate to be submitted should be valid until the opening of bids. Submitted proof of payment for renewal is only accepted pending issuance of a Mayor's Permit/Business Permit;
- F. The Bidder can certify that their submitted documents were certified true copies of the original provided that they should bring the originals on the Opening of the Bids;
- G. The winning bidder shall complete the work within One Hundred Eighty (180) calendar days upon receipt of the Notice to Proceed;
- H. The bidder's Single Largest Completed Contract should be declared on their statement of complete and all ongoing government and on-going private contracts;
- I. The site inspection schedule of interest bidders should be properly coordinated with the PSC and its Regional Coordinator, Prof. Henry Daut, stationed at the MSU Marawi;
- J. Subcontracting is allowed but with prior consent and approval by the Procuring Entity;
- K. Qualifications of the Contractor:
  - Must have a valid PCAB License B and PCAB ARCC rating of at least Medium B;
  - Contractor must have PCAB ARCC rating of Medium B for Building
  - The contractor or installer of such product (Rubberized Track) must have finished project(s) in the Philippines that last at least 5 years from the date of Acceptance and still in good condition and playable.
- L. A bid supplemental bulletin will be issued; if there will be changes/addendum;
- M. All queries by the prospective bidders relative to the aforementioned project should be expressed in writing and addressed to the BAC Chair.

There having no other questions raised, the pre-bid conference adjourned at 12:20 p.m.

*Prepared by:*

**JUN MICHAEL T. UNZO**  
*BAC Secretary*

*Noted by:*

**ATTY. GUILLERMO B. IROY, JR.**  
*BAC Chair*

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