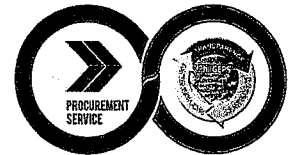




Republic of the Philippines
Department of Budget and Management
PROCUREMENT SERVICE
BIDS AND AWARDS COMMITTEE



MINUTES OF MEETING

Thursday, September 13, 2018	10:00 AM	EXECUTIVE LOUNGE
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MEETING CALLED BY	BIDS AND AWARDS COMMITTEE X	
TYPE OF MEETING	Preliminary Conference (Part 1)	
PROJECT	<i>Consulting Services for LRT Line 2 West Extension Project for Light Rail Transit (LRTA)</i>	
REFERENCE NO.	PB 18-282-10	
	BIDS AND AWARDS COMMITTEE X	
	Engr. Pablo Roman C. Andres	Chairperson
	Atty. Divina Gracia A. Bacal	Regular Member, Legal
	Mr. Jack G. Mercado	Provisional Member/PMO-in-Charge
	Procurement Division X	
	Ms. Maricel R. Vergel de Dios	Secretariat
	Mr. Jayson C. Erquiza	TWG Member
	Mr. Chamel Fiji C. Melo	Member
	Ms. Jennifer M. Ancheta	Member
	Ms. Barby Ann M. Villamor	Member
	End-User Agency	
	Ms. Lorelie L. Reyes	LRTa
	Ms. Carmela M. de Guzman	LRTa
	Ms. Deah Kristine J. Guison	LRTa
	Observer	
	Ms. Joan Lopez	DOTr
	Ms. Yza Mendoza	DOTr

Bidders

Ms. Imelda V. Favor	KE Asia, Inc.
Ms. Genelyn CArido	TPF Getinsa Eurostudios SL
Ms. Rosalia C. Punay	FDSC
Mr. Paulo J. Oropesa	Soosung
Mr. Michael Nerbes	TUV
Ms. Cheryl David	ALAI
Ms. Gina Jota	Systra
Mr. Saint Soutane Steeve	EGIS
Mr. Virgilio F. Panganiban	Pert Consult
Mr. Rene Borromeo	Key Engineers
Mr. Genavo Estrella	UICI
Ms. Lanie Barong	UICI
Mr. Aaron Añonuevo	Sumitomo
Mr. Manuel Castro	FDC
Mr. Rolando C. Pique	Pert Consult
Ms. Francy Moralaes	EGIS
Mr. Marcelino Agan	Yooshin
Ms. Catherine Kay Due	ESCA
Mr. Dionisio V. Navarroza	Filipinas Bravo Corporation
Mr. Mao Peng	Lyon Associatrs Inc.
Ms. Rogilda Alsosa	Heldig
Ms. Belle Rea	T & V Design Consultancy
Mr. Mounir Chaouche	EGIS Rail
Mr. Elpidio Rimando	JFCA
Mr. Jilian Bulalacao	Yooshin
Mr. Hwan Cheol Park	Dohwa
Ms. Cherelyn JASmin	Dohwa
Mr. Laurence Espiritu	Aelcom

CALL TO ORDER

1. The scheduled **Preliminary Conference** started at **10:00 AM** with the Chairperson presiding.
2. The Chairperson acknowledged the presence of the attendees. Notices to the Observers have been sent within the prescribed period, but none attended the activity.
3. Having established the required quorum, the BAC Secretariat proceeded with the discussion of the documentary requirements.

DISCUSSION

I. DOCUMENTATIONS

DOCUMENTATIONS

- The BAC Secretariat discussed the general requirements for government procurement of consulting services. During the discussion the following topics were tackled:
 - the purpose of the preliminary conference,
 - who can participate,
 - proofs of bidder's eligibility,
 - suggested forms,
 - sequencing of documents,
 - marking and packaging suggestions,
 - and the BAC X contact details

SECTION II EDS Clause 2.1 (a) (i) Page 10

PHILGEPS Certificate of Registration and Membership in accordance with Section 8.5.2 of the IRR, except for foreign bidders participating in the procurement by a Philippine Foreign Service Office or Post, which shall submit their eligibility documents under Section 24.1 of the IRR, provided, that the winning Consultant shall register with PHILGEPS in accordance with Section 37.1.4 of the IRR.

ELIGIBILITY DOCUMENTS

- The BAC Secretariat discussed the legal and financial documents needed to submit, such as: PhilGEPS Registration Certificate and Membership, Registration Certificate from SEC or DTI or CDA, Mayor's Permit, Tax Clearance Certificate (per EO 398) and Audited 2017 Financial Statements (stamped RECEIVED by BIR).
- The BAC Secretariat emphasized that the PHILGEPS PLATINUM registration to be submitted shall be up-to-date/current including its Annexes.
- The BAC Secretariat presented the Class B Document, Joint Venture Agreement, if applicable.

ELIGIBILITY DATA SHEET

SECTION III
EDS Clause 1.2
Page 16

- The TWG Member stated the required five (5) Key Personnel that are registered professionals authorized by the appropriate regulatory body to practice those profession and allied professions are required to submit a copy of their license.

SECTION III
EDS Clause 9.1
Page 17

- Similar Contract shall refer to contracts for the design and construction, supervision of railway projects.

ANNEX A
Eligibility Documents Submission Form
Page 27

- The BAC Secretariat reminded the prospective bidders to attach the notarized authority of signatory.

ANNEX B
Statement of the Consultant's Nationality
Page 32

- The BAC Secretariat reminded the bidders to fill out all the details and explained that the proposed partners/key staff who shall actually perform the services possess the necessary technical and professional competence as required under ED Clause 1.2.
- The TWG Member further elaborated the requirements under ED Clause 1.2.

The following registered professionals authorized by the appropriate regulatory body to practice those professions and allied professions shall be required to submit a copy of their License which shall be attached together with their respective Curriculum Vitae (CV)

BIDDING FORMS

Key Personnel	Licensure
Chief Civil Engineer	<i>PRC License</i>
Project Engineer	<i>PRC License</i>
Geotechnical Engineer	<i>PRC License</i>
Architect	<i>PRC License</i>
Communications Expert/Engineer	<i>PRC License</i>
Estimator/Quantity Surveyor	<i>PRC License</i>

ANNEX C

Format of Curriculum Vitae (CV) for Proposed Professional Staff

Page 30-32

- The BAC Secretariat emphasized in the Format of Curriculum Vitae (CV) for Proposed Professional Staff Statement of the Consultant's Nationality, with regard to Work Experience and the Current Work Load they should provided all necessary details and indicate all similar projects and related projects as defined in the Clause (9.1). For Relevant Trainings, Education and Professional Licenses bidders must submit all the necessary documentations such as certificates, diploma and licenses.

ANNEX D

Statement of Completed Contracts

Page 33-34

- The BAC Secretariat stated the Statement of Completed Contracts and clarified the coverage of similar contract "would be within the last fifteen (15) years". Similar Contract shall refer to contracts for the design and construction supervision of railway projects.

ANNEX D.1

Consultant's Project Reference

Page 35

- The BAC Secretariat reminded the prospective bidders to fill out the form with all the necessary details. The said form shall be signed by authorized representative.
- Bidders must submit the Certificate of Good Standing and Satisfactory Completion or Equivalent Document.

ANNEX E

List of All On-Going Government and Private Contracts including Contracts Awarded but not yet started, whether similar or not

Page 36

- The BAC Secretariat reminded the prospective bidders to fill out the form with necessary details and in case there is no declaration put the word "NONE". The said form shall be signed by authorized representative.

II. OTHER DISCUSSIONS

OTHER MATTERS

- The prospective bidder asked if a foreign Firm (corporation, partnership or sole proprietorship) be allowed to join the organization and if a Filipino corporation be allowed to join the organization?
 - *The Regular Member answered that it is allowed as long as the equity contribution is in favour of 60% Filipino and 40% Foreigner. The term organization was used to be inclusive and the term corporation was included in it.*
- The prospective bidder clarified in the REI, corporation and cooperatives were not mentioned and in EDS and no instruction was stated. Can a foreign firm join a Joint Venture and can a Filipino corporation join a Joint Venture?
 - *The Regular Member answered that corporation and cooperatives can submit their Expression of Interest. She added that a foreign firm and a Filipino corporation can join a Joint Venture, since Joint Venture means a group of two (2) or more entities which can include a corporation, partnership etc. as long as 60% contribution belongs to Filipino entity.*
- The prospective bidder clarified foreign entities may directly participate to enter in a Joint Venture, does this mean foreign entities can directly participate as a bidder? With regard to Clause 1.3, Request for Expression of Interest allows participation of foreign consultants then foreign bidders may be eligible, subject to qualification.

- *The Regular Member answered that they can participate, with regard to Clause 1.3 if they have qualified personnel and if they are foreign corporation they can participate directly, they need to submit an additional requirement which is the Certificate of Reciprocity. It is issued by the appropriate government agency from the country of origin of the foreign bidder.*
- The prospective bidder clarified if it is allowed to use the term Project Venture Agreement in replacement of Joint Venture Agreement?
 - *The Regular Member answered that the query is for second part of the project, the BAC has a prescribed form but if they can have a specific undertakings it can be acceptable. She reminded the bidder to raise the query on the second part of the project.*
- The prospective bidder clarified that they are 100% owned by a foreign firm and they will partner with a local firm to satisfy the 60:40 arrangement and interest, they would like to inquire if the said interest will also apply in selecting Leadership or can they nominate a foreign firm to lead their consortium?
 - *The Regular Member answered that BAC is not regulating the leadership on how they will participate in the project, instead, the BAC is interested in the monetary equity and participation. She said that their query was for the second part of the project.*
- Most of the prospective bidders requested for an extension of the submission of the eligibility documents for the project.
 - *The Regular Member took note of the query. She reminded the bidders that they can submit their written query until September 17, 2018.*

	<ul style="list-style-type: none"> • The prospective bidder clarified the difference between similar and relevant projects. In item 9.1 of the EDS, similar contracts are defined as those for design and construction of railway projects. What would relevant projects refer to? <ul style="list-style-type: none"> ➤ <i>The Regular Member took note of the query and stated that the answer will be reflected on the Bid Bulletin.</i> • The prospective bidder asked if it is allowed to use an affiliate/co-subsiary's, sharing a common company mother name and under the management of a global office? <ul style="list-style-type: none"> ➤ <i>The Committee took note of it and requested to put in writing. The bidders acknowledged it.</i> • Some of the bidder queries are for the second part of the project. The Committee took note of it. • The Committee requested bidders who submitted their queries to formalized and email it to the BACX. The bidders acknowledged it.
ADJOURNMENT	Having no other matters for discussion, the meeting was adjourned at 10: 45 am.
CERTIFICATION	We certify that the foregoing is the true account of Preliminary Conference conducted on Thursday, September 13, 2018.
PREPARED BY	(SGD) MS. MARICEL R. VERGEL DE DIOS Secretariat

(SGD) MS. LORELIE L. REYES
End-User Representative

-not present-
MR. ANTONIO LAIGO JR.
Ad Hoc Representative

(SGD) MR. JACK G. MERCADO
Provisional Member/PMO-in-Charge

CERTIFIED CORRECT

(SGD) ATTY. DIVINA GRACIA A. BACAL
Regular Member, Legal

-not present-
MR. WEBSTER M. LAUREÑANA
Vice-Chairperson

(SGD) ENGR. PABLO ROMAN C. ANDRES
Chairperson, Bids and Awards Committee X