

20 February 2023

Minutes No. 02-05, Series of 2023

MINUTES OF THE PRE-NEGOTIATION CONFERENCE

**"Provision of Petroleum for Clark International Airport Corporation for CY 2023
(Negotiated Procurement-Two Failed Biddings)"
(ABC: PHP3,893,952.00)**

Date : 20 February 2023
Time : 2:00 p.m.
Venue : CIAC Board Room and Via Zoom Application

1.0 ATTENDANCE

BAC: Atty. Rustico G. Quizon III (Chairperson)
Atty. Misheena Joyce C. Tiatco (Vice Chairperson)
EnP Melissa D. Feliciano, MNSA (Member)
Gerry A. Naguit (Member)
Engr. Federico E. Primero Jr. (Member) via Zoom App
Robert S. Urbano (Provisional Member)
Antonio Jr. D. Villavicencio (Provisional Member)

TWG: Vina May Manalili (Member)
Noli D. Ocampo (Provisional Member)

Secretariat: Sharon C. Lingad
Miriam M. Pamindanan

Prospective Bidder (via Zoom App):

1. Petron Corporation – Ms. Glance Henson

2.0 INVOCATION

The opening prayer was led by Mr. Noli D. Ocampo.

3.0 CALL TO ORDER

After certification of a quorum by Ms. Sharon C. Lingad, Chairperson Rustico G. Quizon III called the meeting to order and presided thereat.

Ms. Lingad also acknowledged the presence of the Technical Working Group (TWG) and observer from the CIAC-Internal Audit Department (IAD), Mr. Mitchell S. Cruz.

4.0 APPROVAL OF AGENDA ITEMS

Ms. Lingad presented the agenda items, as follows:

1. Pre-Negotiation Conference for the project: "Provision of Petroleum for CIAC for CY 2023 (Negotiated Procurement-Two Failed Biddings" ABC: PHP3,893,952.00; and

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2. Review and approval of Minutes of the following BAC meetings:

- Pre-procurement Conference for the projects: "Provision of Petroleum for CIAC for CY 2023 (Negotiated Procurement-Two Failed Biddings)" held on February 8, 2023; and
- Continuation of the Pre-Procurement Conference for the project: "Contracting of Services for the Maintenance of 157.82 Hectares CIAC Landside Sodded Grounds" held on February 10, 2023.

On a motion duly made by Engr. Federico E. Primero Jr. and seconded by Ms. Melissa D. Feliciano, the BAC unanimously approved the above cited agenda.

5.0 ACKNOWLEDGEMENT OF PROSPECTIVE BIDDER/S

Ms. Lingad also acknowledged the presence of Ms. Glance Henson of Petron Corporation in attending the said meeting thru video teleconferencing using Zoom Application.

6.0 DISCUSSION PROPER

Prior to start of the meeting, Ms. Lingad informed everyone that the Office of the BAC Secretariat invited five (5) companies/suppliers for the said project, namely:

1. Gasboy, Inc.;
2. Stotsenberg Fuel and Services Corp. (Shell);
3. SEA Flow Marketing Corp. (PTT);
4. Wind Tunnel International, Inc.; and
5. Petron Corporation

PRE-NEGOTIATION CONFERENCE

To start the meeting, Mr. Noli D. Ocampo presented the Terms of Reference (TOR):

Approved Budget for Contract (ABC): PHP3,893,952.00

Contract Duration: Nine (9) Months, commencing 01 April 2023 until 31 December 2023

Section VII. Technical Specifications

Item	Specification
1	Estimated monthly supply of petroleum: Diesel (euro 4 compliant) 3,854 liters/month (9 months)
2	Estimated monthly supply of petroleum: Gasoline (euro 4 compliant) 130 liters/month (9 months)
3	Diesel (euro 4 compliant) for Generator Sets 3,100 liters (total for 3 months) 4th Quarter consumption
4	Must have Gasoline Station within 15km radius from CIAC
5	Must have fleet card application system
6	Payment System a. Credit charging (30-day cycle) b. Allows deduction of applicable withholding tax on monthly billing statement c. Billing/Settlement through the CIAC Accounting/ Treasury Office.

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Section VIII. Checklist of Technical and Financial Documents

I. TECHNICAL COMPONENT ENVELOPE

Class "A" Documents

Legal Documents

- (a) Valid PhilGEPS Registration Certificate (Platinum Membership) (all pages);
- (b) Pursuant to the Department of Transportation (DOTr) Department Order, the bidder is required to submit a certification, under oath, certifying that said bidder has no pending case(s) against the government.

Technical Documents

- (c) Statement of the prospective bidder of all its ongoing 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
- (d) Statement of the bidder's Single Largest Completed Contract (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; **and**
- (e) 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; **and**
- (f) Conformity with the Technical Specifications, which may include production/delivery schedule, manpower requirements, and/or after-sales/parts, if applicable; **and**
- (g) 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.

Financial Documents

- (h) The prospective bidder's computation of Net Financial Contracting Capacity (NFCC);
or
A committed Line of Credit from a Universal or Commercial Bank in lieu of its NFCC computation.

Class "B" Documents

- (i) If applicable, a duly signed joint venture agreement (JVA) in case the joint venture is already in existence;
or
duly notarized statements from all the potential joint venture partners stating that they will enter into and abide by the provisions of the JVA in the instance that the bid is successful.

Other documentary requirements under RA No. 9184 (as applicable)

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- (j) [For foreign bidders claiming by reason of their country's extension of reciprocal rights to Filipinos] Certification from the relevant government office of their country stating that Filipinos are allowed to participate in government procurement activities for the same item or product.
- (k) Certification from the DTI if the Bidder claims preference as a Domestic Bidder or Domestic Entity.

II. FINANCIAL COMPONENT ENVELOPE

- (a) Original of duly signed and accomplished Financial Bid Form; **and**
- (b) Original of duly signed and accomplished Price Schedule(s)

Lastly, Mr. Ocampo enumerated the bidding forms.

At this juncture, Mr. Ocampo, ended his presentation and the Committee opened the floor for queries to Petron Corporation.

Below is the query and request for clarification raised by Petron Corporation, as well as the corresponding remarks or instructions made by the Bids and Awards Committee (BAC) members and Office of Prime Responsibility (OPR):

No.	Queries/Clarifications	Remarks from the BAC and OPR
1	If we decide to participate in the Negotiated Procurement, may we know if we are required to purchase the bidding documents?	For this bidding activity, the Terms of Reference is free of charge. You may also access and download the said document at the websites of PhilGEPS (philgeps.gov.ph) and CIAC (ciac.gov.ph)

There being no other queries and/or requests for clarifications from Petron Corporation, Ms. Lingad read the additional reminders for the information and guidance of all prospective bidders, as follows:

- The deadline for the submission of queries and/or requests for clarification is on **February 24, 2023 (Friday), not later than 5:00 p.m.** All queries should be sent thru the email address: ciac_bacsecretariat@yahoo.com and bacsecretariat@ciac.gov.ph. All letters and/or notices sent to and issued by the CIAC-BAC shall be coursed through the email address provided. All prospective bidders or bidders are required to provide the BAC Secretariat their respective official email addresses. Otherwise, the email address used by the company in communicating with the BAC thru the BAC Secretariat shall be considered the official email address of the said company. All prospective bidders or bidders are also required to acknowledge the receipt of all notices or letters issued by the BAC.
- The issuance of the Supplemental/Bid Bulletin is on or before **February 27, 2023 (Monday)** and shall be posted at the websites of CIAC (ciac.gov.ph) and PhilGEPS (philgeps.gov.ph) on the same day.
- The deadline for the Submission of Bids is on **March 06, 2023 (Monday)**. Bids must be duly received by the CIAC Records Management Office located in the CIAC Corporate Office Building **not later than 2:00 p.m.** Late bids shall not be accepted.
- The Opening of Bids shall be conducted at **2:15 p.m. of March 06, 2023 (Monday)** at the CIAC Board Room, Corporate Office Building, Civil Aviation Complex, Clark Freeport Zone and thru video conferencing using Zoom Application. Only one (1) representative for

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each bidder shall be allowed to attend the opening of bids physically onsite. Provided, that said representative shall present a Negative Antigen Test Result taken within 24 hours from the date of the Opening of Bids and shall be required to wear a face mask while within the Corporate Office Building. For bidders who shall attend the opening of bids thru video conferencing, they are advised to indicate their Company Name and Full Name as their username for proper identification.

- Bidders are required to submit one (1) original and two (2) copies of the first and second components of its bid which shall be signed or initialed on each and every page thereof by the duly authorized representative/s of the Bidder.
- Prospective bidders are reminded that a suspended or blacklisted supplier, contractor or consultant shall not be allowed to participate in all procurement opportunities of the government for the duration of the suspension or blacklisting, regardless of the modality of procurement employed by the procuring entity.
- Bid envelopes that are not properly sealed and marked, as required in the bidding documents, shall be accepted, provided that the bidder or its duly authorized representative shall acknowledge such condition of the bid as submitted. The BAC shall assume **no responsibility** for the misplacement of the contents of the improperly sealed or unmarked bid, or for its premature opening.
- Should a bidder decide **not to submit** a bid, said bidder should justify in writing to the BAC the reason for the non-submission. This provision is applicable to companies who have purchased the bidding documents for the said project. Pursuant to Section 69.1 of the Revised IRR of RA No. 9184, sanctions shall be imposed to the bidder who habitually withdraws from bidding, submits late bids or patently insufficient bids for at least three (3) times within a year, except for a valid reason.
- Note: Caution to prospective bidders, should there be individuals posing in behalf of the CIAC-BAC and TWG as agents or fixers, the same should be reported to the CIAC-BAC immediately. This shall not be tolerated by the CIAC-BAC. The bidding shall be conducted impartially and fairly and no favoritism shall be extended to any prospective bidder or bidder. For as long as the same submits complete requirements, the said bidder shall be qualified.

There being no other concerns from the members of the BAC and TWG to discuss, Chairperson Quizon concluded the Pre-Negotiation Conference by extending his appreciation to the representative of Petron Corporation and everyone present for attending the said meeting.

REVIEW AND APPROVAL OF MINUTES OF BAC MEETINGS HELD ON FEBRUARY 8 & 10, 2023

On a motion duly made by Engr. Federico E. Primero Jr. and seconded by Ms. Melissa D. Feliciano, the BAC approved the above cited Minutes of BAC Meetings held on February 8 & 10, 2023, as presented.

7.0 ADJOURNMENT

There being no other matters to discuss, the meeting was adjourned at 2:20 p.m. on the 20th day of February 2023.

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Prepared by:

MIRIAM M. PAMINDANAN

Minutes/Agenda Officer

Reviewed by:

SHARON C. LINGAD

Manager

Administrative Department

Read and Approved by:

GERRY A. NAGUIT

Member

EnP MELISSA D. FELICIANO, MNSA

Member

ENGR. FEDERICO E. PRIMERO JR.

Member

ROBERT S. URBANO

Provisional Member

ANTONIO JR. D. VILLAVICENCIO

Provisional Member

ATTY. MISHEENA JOYCE C. TIATCO

Vice Chairperson

ATTY. RUSTICO G. QUIZON III

Chairperson