****Republic of the Philippines

**ZAMBOANGA CITY WATER DISTRICT**

**Pilar St., Zamboanga City**

**MINUTES OF THE PRE-BID CONFERENCE UNDER PUBLIC BIDDING FOR PURCHASE REQUISITION NO. 20-0106 – SUPPLY & DELIVERY OF POWDER CHLORINE (CALCIUM HYPOCHLORITE) – 70% AT 45 KGS/PAIL FOR WATER TREATMENT USE HELD VIA VIRTUAL VIDEO CONFERENCING ON SEPTEMBER 17, 2020 AT 2PM**

**Present were:**

**Michael Angelo M. Carbon - Chairperson**

**Efren C. Salvacion - Regular Member**

**David Capopez - Regular Member**

**Tedilito R**. **Sarmiento - End-user**

**Jennifer P****. Sison - Head, BAC Secretariat**

**Jeanette B. Delos Santos - Member, BAC Secretariat**

 **Amor E**. **Constantino - Member, BAC Secretariat**

**Also present were:**

**Gary Betic - Chemical Research Products Industrial Sales, Inc.**

 **Mary Ann Aldaba - Jedaric Chemicals Co., Inc.**

 **Melchiades Marigomen, Jr - Jedaric Chemicals Co., Inc.**

**Absent:**

 **Louella A. Aguilera - Vice-Chairperson**

**Atty. Vincent Fernandez - Regular Member**

**Minutes Meeting No. 2020-09-17-20-0106**

**Series of 2020**

**Part I. Call to Order**

Upon determination of a quorum the meeting was called to order by the BAC Chairperson at 2:00 pm.

**Part II. Business Matters**

**Pre-Bid Conference under Public Bidding for Purchase Requisition No. 20-0106 – Supply & Delivery of Powder Chlorine (Calcium Hypochlorite) – 70% at 45 kgs/pail for water treatment use with an Approved Budget for the Contract in the amount of One Million One Hundred Thousand Pesos (P 1,100,000.00)**

1. Chairperson Carbon said, let us proceed to the next PR for pre-bid conference, PR No. 20-0106 – Supply & Delivery of Powder Chlorine (Calcium Hypochlorite) – 70% at 45 kgs/pail for water treatment use. Approved Budget Cost (ABC) is One Million One Hundred Thousand Pesos (P 1,100,000.00).
2. Delivery Period as published is forty (40) days after receipt of NTP.
3. Bid document fee is Five Thousand Pesos (P 5,000.00).
4. For the Single Largest Completed Contract (SLCC) as submitted, it must be within five (5) years from the date of submission or bid opening of September 29, 2020.
5. The bidding documents have been available since September 9, 2020, you can download it in our website, Phil-GEPS or you can request our BAC Secretariat to email it to you. Same pronouncement as to the payment on the bidding documents regarding the Official Receipt (OR).
6. Bid submission will be on September 29, 2020. Late bids will not be accepted and bids over the ABC will be outrightly rejected. The same, submission will be through physical submission, through courier or your representative. If you have a copy of the bidding documents or not, you can download. It is incumbent upon the bidder to read or go through the bidding documents and the requirements of the bid.
7. To give more time to the questions of our bidder, the floor is now open for questions. Chairperson Carbon inquired from Ms. Mary Ann of Jedaric Chemicals if it has any questions, to which Ms. Mary Ann answered in the negative.
8. Considering the inventory level of the chemical is already low and because of the necessity of the same, and that the procurement process takes around one (1) month, end-user Mr. Sarmiento said that it would like to change the delivery period from thirty (30) days to fifteen (15) days. Chairperson Carbon noted that what is reflected in the PR is, Period of Delivery: 40 days after receipt of NTP. Mr. Sarmiento said that it would like to change to 15 calendar days.
9. Chairperson Carbon said, as stated in the PR and in the bidding documents, the delivery period, originally, is 40 days after receipt of NTP. Now, Mr. Sarmiento, manifested through this BAC, that as end-user and based on the current situation, the level of inventory, he is manifesting or requesting to reduce the delivery date that from 40 days after receipt of NTP and in consideration of the bidding process, he is submitting before the BAC for the reduction of the delivery period from the original 40 days after receipt of NTP, to 15 days after receipt of NTP. Chairperson Carbon then inquired from the bidders present if it has comment before the BAC will consider the proposal or amendment, to which the bidder representatives from Jedaric Chemicals and Chemical Research answered, noted on the revised delivery schedule of 15 days.
10. Chairperson Carbon said, just for the background, because we are here in Zamboanga and it has been raining quite a lot lately, and as manifested now by end-user Mr. Sarmiento, the level of inventory is only up to end of October.
11. Chairperson Carbon said, finding merit on the manifestation of end-user Mr. Sarmiento to reduce the delivery period from 40 days after receipt of NTP to 15 days after receipt of NTP, ***the BAC resolve to change the delivery period to 15 days after receipt of NTP*** and this amendment or change will be reflected by the issuance of an Addendum. BAC Secretariat, kindly take note and post that Addendum in Phil-GEPS as well as email those bidders that are present here.
12. Mr. Marigomen, bidder representative from Jedaric Chemicals inquired if the BAC or end-user will allow the packaging at 40 kgs/pail but the total requirement 9,000 is complied. The total requirement for the 200 pails by 45 kgs is 9,000 kgs. End-user Mr. Sarmiento answered, I will not accept the 40 kgs/pail, we will require the packaging at 45 kgs/pail.
13. Chairperson Carbon said to Mr. Marigomen of Jedaric Chemicals that the procuring entity will stick at 45kgs/pail, to which Mr. Marigomen answered, “noted on that, sir.” Mr. Betic, bidder representative from Chemical Research Products said that it can comply on the 45 kgs/pail requirement.
14. Chairperson Carbon said that the BAC received an email from Ms. Vanessa Esteban representing The Alpha Enterprise last September 10, 2020. In said email, it stated: *“We saw your PhilGEPS posting for Chlorine and are interested to join…In line with this, may we ask if you’ll honor DOST ITDI analysis aside from PIPAC. Attached is a copy of the test result for your perusal.”*
15. Chairperson Carbon said, in the bidding documents as well as the requirements of the bid, the bid should be accompanied by a PIPAC Certification that the product being offered is at least 70%. The bidding documents states that PIPAC Certification to certify such shall be submitted with the bid. The question of the representative from The Alpha Enterprise is that, if DOST ITDI Analysis is acceptable to the procuring entity. Mr. Sarmiento, can you kindly respond to that? Chairperson Carbon said, for the information and for the record, ITDI is Industrial Technology Development Institute Standards and Testing Division under the Department of Science and Technology, a government agency. Mr. Sarmiento, will it be acceptable to the procuring entity to accept the ITDI Certificate in lieu of the PIPAC or submission of both will also be fine? End-user Mr. Sarmiento answered, since the DOST is a recognized testing body of the government, I think it will be allowed that the result will be based on that, it is okay for me. Chairperson Carbon said for BAC Secretariat to kindly take note to issue an Addendum, we find the query of The Alpha Enterprise to be meritorious. In effect, the BAC will issue an Addendum that submission as stated in the bidding documents, ***submission of PIPAC and/or ITDI Certification certifying that the product being offered is at least 70%. The bidder can submit PIPAC Certificate or ITDI Certificate and the bidder can submit either both. Either from PIPAC or ITDI or a combination of both for as long as those certifications passed the required 70%.***

1. Mr. Marigomen from Jedaric Chemicals inquired if the brand name of the product should be indicated in the DOST or PIPAC Certification. End-user Mr. Sarmiento answered, the kind of product must be indicated. The Chlorine that will be bidded must include its brand name, that is important, the brand name of the product. Chairperson Carbon said for BAC Secretariat to kindly take note of this in the Addendum. Chairperson Carbon said that the ***Certification from either PIPAC or ITDI shall contain the brand name of the chemical being tested***. Mr. Marigomen, have we satisfied your query? Mr. Marigomen answered in the affirmative.
2. Mr. Marigomen from Jedaric Chemicals inquired, in the technical specification, ISO Certification or its equivalent GB/T standard is required. Due to this pandemic, some companies were not able to renew their ISO or their GB/T certification, is there any option with that sir? End-user Mr. Sarmiento answered, the ISO, NSF assures us that the product to be delivered is really of good quality. It should be certified and there should be certifications, “kahit na sa mga naunang mga products, hindi naman yun mawawala kasi base yun sa kanilang produkto, hindi yun mawawala yung mga certifications nya.” Chairperson Carbon said, these Certifications are on the product, correct? End-user Sarmiento answered in the affirmative. Chairperson Carbon said, it is but incumbent also for the procuring entity to require this, to make sure since we are using government’s money, value for money that what is being offered to us is of quality.
3. Chairperson Carbon said to Mr. Marigomen, meaning your supplier was not able to renew this Certification because of the pandemic? Mr. Marigomen answered in the affirmative, the ISO Certification, standard certification is already expired and it was not renewed due to this pandemic. Chairperson Carbon said, with that Certification, what is the effect, can they still sell the product in the market? Mr. Marigomen said, in the standard certification, there is validity, however it is already expired and there is no process of renewal now because of the pandemic. Chairperson Carbon said, with the expiry of that Certification, can it still be sold in the market or not anymore? Mr. Marigomen answered, it can be, but required in the bidding requirements is there should be ISO or GB/T Certification. If ever, the manufacturer’s certification has just recently expired and was not able to renew due to this pandemic.
4. End-user Mr. Sarmiento said, “can they just provide kahit na yung hindi pa expired yung license nya, as long as the product is the same, kahit na yung expired na certification niya, makita naman natin na talagang quality yung product nila. Kahit na yung expired na, kasi wala naman ngayon continuity siguro, para sa akin, as long as they can give the Certification of their product before the pandemic, okay lang po.”
5. Chairperson Carbon inquired if it is okay with BAC members that they will submit an expired ISO Certification. BAC Member Salvacion answered, as for me, it is okay because of the pandemic as explained, but is it an excuse?
6. Chairperson Carbon said, like before, there are issuances by GPPB, during bid submission, it may not be there first but prior to award of contract, there must already be? What instance is that? Ms. Sison, Head of BAC Secretariat answered, negotiated emergency.
7. Chairperson Carbon said, maybe we can accept an expired but then we also have to hold the bidder or its suppliers accountable that later on, the renewed must still be submitted just like in the Mayor’s Permit or in other permits. In consideration of the pandemic, an expired is submitted now but make sure before the contract award or notice of award, there should already be a valid and existing ISO Certification. Although, I appreciate the comment of Mr. Sarmiento, but the technical specifications is primarily there, the procuring entity determines the technical specification to make sure that the product it procures is of quality, value for money.
8. Chairperson Carbon said, now, in the absence of that certification, we do not know during the period it was expired, maybe there is no method of ascertaining as to why it was expired, maybe there are findings other than the pandemic alone. No offence meant maybe they were not issued a Certification or cannot renew because of some conditions they failed to meet and just putting forth the reason of the pandemic. Mr. Sarmiento, my vote is we still require a valid and existing ISO Certification. Mr. Sarmiento answered, it is okay with me.
9. Chairperson Carbon said, to resolve that, my take on this is that we will still require a valid and existing ISO Certification specially that it pertains to the product being delivered to us, so that we can ensure at least that our technical specifications and the quality of the product being offered to us is of quality, value for money. We will still require the valid and existing ISO Certification, to which both BAC members Mr. Salvacion and Mr. Capopez agreed.
10. Chairperson Carbon said, it is unanimous, we will require a valid and existing ISO Certification on the product. It is incumbent upon the procuring entity to make sure that the procurements that we make are of quality. Chairperson Carbon said, just include that in the Addendum.
11. End-user Mr. Sarmiento reminded the bidders to comply with the delivery period of 15 days considering the necessity of the product. For some, it is okay to even pay the liquidated damages but since this is necessity during this period, I want to make an assurance for the suppliers that it can really deliver the product within the delivery period of 15 days.
12. Mr. Marigomen from Jedaric Chemicals inquired with regard to NSF Certification. He said, as we can see in their website, what is being certified is the plant where the product is manufactured. However, there are some companies with many plants in other countries but in NSF, it is specific which plant is NSF Certified. My concern is the bidder might offer from other plant which is not NSF certified but they have attached NSF because the company name is NSF certified but the plant itself is not. End-user Mr. Sarmiento answered, our concern is the product itself, the product must have certification, “hindi yung company talaga but the product itself.” Chairperson Carbon inquired, where can we see that? End-user Sarmiento answered, they can submit Certification for the product or it is labeled on the pail of the product. Chairperson Carbon said, we will stick with that, NSF Certified.
13. Ms. Sison, Head of BAC Secretariat inquired if the submission of ISO, NSF, ANSI is together with the technical specifications. Chairperson Carbon said, in the technical specifications there are brochures, together with those, PIPAC and/or ITDI-DOST, then submission of ISO Certificate of the product, NSF Certification of the product and this Intended National Standard. Chairperson Carbon inquired from the end-user if in previous bidding the bidder was able to submit those, to which Mr. Sarmiento answered in the technical specification, they submitted Certification.
14. Chairperson Carbon said my worry is, we already needed the item but then absence of one certification will disqualify the bidder and we do not have chemicals. End-user Mr. Sarmiento said, they can picture the pail, the product itself but much better if they have Certification that the product is certified. Chairperson Carbon said, my concern is, we have three (3) certifications, in the absence of one it will be disqualified. If we are going to require a certificate and then the bidder does not have that then disqualified and we cannot procure the chemicals. Maybe if it can just be one so it will not be too stringent considering the pandemic and the item Chlorine is already needed. End-user Sarmiento answered, “pwede kahit na yung ISO and NSF, pwede na po yun, kahit na yung isa dyan wala, pwede po.”
15. Chairperson Carbon inquired, is ANSI 60 the same or is that separate? To which end-user Mr. Sarmiento answered, “yes, NSF or…” Chairperson Carbon said, to be clear, ISO is non-negotiable, it must be submitted, certificate on the product. Second is, we will accept NSF or ANSI 60. Intended National Standard is excluded, to which end-user Mr. Sarmiento answered, “kahit wala na po yan.”
16. Mr. Betic, bidder representative from Chemical Research said, when you say NSF, incorporated in the certification that will be issued the national standard that is accredited by ANSI 60 or ANSI 61, 62, it depends on the product that will be certified. Also, the validity is every two (2) years and unless you really cannot renew, let us just say because you are delinquent.
17. Chairperson Carbon said, ***for documentary requirement in the technical specifications, there must be PIPAC and/or DOST Certificate. Second, there must be ISO Certificate on the product, not just the label on the pail. Third is, the Certified NSF****,* as per Mr. Betic, it follows the ANSI 60, 61, 62 with the issuance of an NSF. So, ***we will dispense with the requirement of Intended National Standard CAS 7778-54-3.***
18. Chairperson Carbon said, you still have until September 21, 2020 to email or write us your questions so we can properly address it, if meritorious to an addendum. There being no more questions for PR No. 20-0106, this pre-bid conference is terminated. Bid opening will be on September 29, 2020, 2pm, physical submission of bidding documents. With that, this pre-bid conference is concluded. Thank you.

Prepared by: Reviewed by:





**AMOR E. CONSTANTINO** **JENNIFER P. SISON**

BAC Secretariat - Member BAC Secretariat – Head

 Noted by:



 **MICHAEL ANGELO M. CARBON**

 BAC Chairperson