



**Philippine International Trading Corporation  
BIDS & AWARDS COMMITTEE I**

**MINUTES OF THE PRE-BID CONFERENCE  
PROCUREMENT OF MAINTENANCE OF CYBER SECURITY  
SOLUTION FOR THE BUREAU OF CUSTOMS (BOC)  
BID REF. NO. GPG-B1-2019-382  
26 November 2019, 5<sup>th</sup> Floor Conference Room**

There being a quorum, Chair convened the meeting at 11:30am

In attendance are:

<b>FOR PITC BAC-I</b>
Christabelle P. Ebriga, Chairperson
Myra T. Alvarez, Member
David A. Inocencio, Member
Joel S. Rodriguez, Member
PITC TWG/BAC Secretariat (as per attached attendance Sheet)

<b>FOR PROPONENT – BOC</b>
As per attached attendance sheet

**HIGHLIGHTS OF PROCEEDINGS:**

- Chair welcomed everyone to the pre-bid conference for the Procurement of Maintenance of Cyber Security Solution for the Bureau of Customs. After which, Chair introduced the BAC members and the BOC Representative/s.
- Chair acknowledged the presence of Information Technology Security Distribution Inc. the only prospective bidder present in this pre-bid conference.
- Chair informed that to be able to participate in this bid project, the prospective Bidder must have completed a Single contract of similar nature within last five (5) years amounting to at least fifty percent (50%) of the ABC of the item being bid.  
 "Similar" contract shall refer to contracts pertaining to the Maintenance of Fire Eye Cyber Security solutions with appliances for at least one (1) year.
- At the same time, this bid project is open to eligible FireEye Cyber Security Solutions Provider for the Procurement of Maintenance of Cyber Security Solution for the Bureau of Customs who must be Filipino citizens / sole proprietorships, partnerships, or organization with at least sixty percent (60%) interest or outstanding capital stock belonging citizens of the Philippines.
- Chair explained that the first part of the Bidding Documents is the Instructions to Bidders which should be read by the prospective Bidder at their own good time. What will be discussed in this pre-bid conference are the documents that are required to be submitted on Bid Opening Day;
- Chair started to discuss the Envelope System:
  - **Envelope System:** The system of submission is a two envelope system wherein **Envelope 1** will contain the eligibility and technical documents and **Envelope 2** will only contain the Financial Bid.
  - **Number of Copies:** All documentary submission must come in three sets. These will be placed in 3 folders marked: "original", "duplicate" and "triplicate".
  - **Sealing/Markings:** The two envelopes will then be placed in a master envelope. The master envelope will then be sealed and marked in accordance with the instructions stated in the Bidding Documents.

**ENVELOPE I – ELIGIBILITY & TECHNICAL DOCUMENTS**

Class "A" Eligibility Documents	Chair's Instructions
SEC/DTI Registration Certificate	<p><b>For Corporation</b>, submission will be the SEC Registration Certificate.</p> <p><b>For the Sole Proprietorship</b> a copy of valid and current DTI business registration; and</p> <p><b>For Cooperatives</b> a copy of valid and current Cooperative Development Authority (CDA)</p>
Business Permit issued by the city or municipality where the place of business is located OR the equivalent document for Exclusive Economic Zones or Areas.	<p>Bidder must submit their 2019 Mayor's Permit.</p> <p>In case of recently expired Mayor's/Business Permits, it shall be accepted together with the official receipt as proof that the bidder has applied for renewal within the period prescribed by the concerned local government unit, provided that the renewed permit shall be submitted as post-qualification requirement.</p>
Valid and Current Tax Clearance	<p>Bidder must submit their valid and current Tax Clearance per Executive Order 398 and Revenue Memorandum Order No. 46-2018.</p> <p>Chair informed the Bidder that PITC does not accept any provisional Tax Clearance, renewal certificate or claim stub because the GPPB has already issued a ruling that only the Tax Clearance itself is acceptable.</p> <p>Chair advised Bidder to only transact with legitimate employees of BIR.</p>
Audited Financial Statements for 2018 and 2017	<p>Submission will be the 2018 and 2017 Audited Financial Statements comprising of: Independent Auditor's Report, Balance Sheet and Income Statements, all pages of which must have the stamp "Received" by the BIR.</p>
Valid and Current PhilGEPS Certificate of Registration and Membership (Platinum Registration).	<p>If a Bidder is already a PhilGEPS Platinum Member he can submit the Platinum Membership Certificate together with the Annex "A". The Platinum Membership will substitute for the four (4) eligibility documents enumerated earlier.</p> <p>However, if any of the documents listed in Annex A of the certificate has expired Bidder must submit the valid and current one.</p> <p>Chair emphasized that any documents that have expired, the valid and current document together with the PhilGEPS Certificate must be submitted.</p>
<p><b>Annex I</b> Statement of all Ongoing government and private contracts including contracts awarded but not yet started</p>	<p>Chair's instructions to the Bidder with respect to this document is:</p> <ul style="list-style-type: none"> <li>• Form Annex I is already provided in the Bidding Documents. Bidder to use Annex I;</li> <li>• Bidder to provide the information called for;</li> <li>• Additional sheets can be used for as long as the authorized representative signs the last page.</li> </ul>
<p><b>Annex I-A</b> Statement of Single Largest Contract similar to the contract being bid within the last 5 yrs. equivalent to at least 50% of the ABC.</p>	<ul style="list-style-type: none"> <li>• A form is again provided;</li> <li>• Bidder to supply the data or information required in the form and to attach any of the following documents:             <ol style="list-style-type: none"> <li>1. End User's Acceptance</li> <li>2. Copy of Official Receipt;</li> <li>3. Sales Invoice with Collection Receipt (<i>They go together</i>)</li> </ol> </li> </ul>

<p>Net Financial Contracting Capacity (NFCC)</p> <p>Committed Line of Credit (CLC)</p>	<p><b>For NFCC</b> - A form is provided for as <b>Annex II</b>;</p> <p>As the sample form was flashed on the screen, Chair's instructions is for the Bidder to supply the necessary details as required. A formula is already provided for the bidder to come up with the NFCC.</p> <p>The NFCC must at least be equal to the ABC of the project.</p> <p><b>For CLC</b> - A sample form is provided for as <b>Annex II-A</b>.</p> <p>In case Bidder does not want to submit the NFCC, they have an option to submit Committed Line of Credit, issued by a local commercial/Universal Bank.</p> <p>Chair reminded the Bidder that the Committee does not accept any CLC issued by a Rural Bank or Savings Bank.</p>
<p><b>Class "B" Documents (For Joint Ventures)</b></p>	<p><b>Chair Instruction's</b></p>
<p>Joint Venture Agreement (JVA)</p>	<ol style="list-style-type: none"> <li>1. Bidder to submit a copy of <b>Joint Venture Agreement</b> in case joint venture is already in existence;</li> <li>2. If not submission will be a copy of <b>Protocol/ Undertaking of Agreement</b> to enter into Joint Venture signed by 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.</li> </ol> <p>Submission shall be within (10) calendar days from receipt by the bidder of the notice from the BAC that the bidder is the Lowest Calculated and Responsive Bid [Sec 37.1.4 (a) (i) of the 2016 Revised IRR of RA 9184].</p>
<p><b>For Local JV Partner</b></p>	<p>Aside from the JVA or JVP, the local partner shall also submit the four (4) mandatory documents as follows:</p> <ol style="list-style-type: none"> <li>1. Registration Certificate from the Securities and Exchange Commission (SEC) for corporation, or from Department Trade of Industry (DTI) for Sole Proprietorship, or from Cooperative Development Authority (CDA) for cooperatives.</li> <li>2. Business Permit issued by the city or municipality where the place of business is located OR the equivalent document for Exclusive Economic Zones or Areas.</li> <li>3. Valid and Current Tax Clearance per Executive Order 398 and Revenue Memorandum Order No. 46-2018.</li> <li>4. 2018 and 2017 Audited Financial Statements comprising of: Independent Auditor's Report, Balance Sheet and Income Statements, all page of which must have the stamp "Received" by the BIR.</li> </ol>
<p><b>For Foreign JV Partner</b></p>	<ol style="list-style-type: none"> <li>1. Valid and Current Certificate/ license/ authority to conduct business issued by the regulatory authority in the country where bidder is based.</li> <li>2. Valid and Current Tax Clearance per Executive Order 398 and Revenue Memorandum Order No. 46-2018.</li> <li>3. Corporate Financial Statement or Annual Report for 2018 or 2017.</li> </ol>

<p>PhilGEPS Certificate of Registration and Membership (Platinum Registration).</p>	<p>The PhilGEPS Certificate of Registration as discussed earlier shall apply.</p> <p>Chair emphasized that any documents that have expired, the valid and current document together with the PhilGEPS Certificate must be submitted.</p> <p>Chair reminded the Bidder that in case the JV Partners opt to submit their eligibility documents, the Certificate of PhilGEPS Registration (Platinum Membership) shall be a post-qualification requirement to be submitted in accordance with Section 34.2 of the 2016 Revised IRR of RA 9184. "GPPB Circular 07-2017 dated 31 July 2017"</p>
	<p>For the rest of the Eligibility and Technical Documents, any of the JV partners can submit and it will be considered as collective compliance, i.e.</p> <ul style="list-style-type: none"> <li>• Duly filled up and signed form Annex I;</li> <li>• Duly filled up and signed form Annex I-A, complete with the required attachment;</li> <li>• NFCC or CLC.</li> </ul>
<p><b>Technical Documents</b></p>	<p><b>Chair's Instructions</b></p>
<p><b>Annex IV</b> Bid Security</p>	<p>Chair enumerated the types of Bid Security acceptable to PITC. These are:</p> <p><b>a. Bid Securing Declaration</b> - A form is provided for as <b>Annex IV</b>.</p> <p>Bidder should use the form provided by PITC because it is complete in contents.</p> <p>In order not to miss out on anything, Chair advised Bidder to photocopy the form or scan it, and then have the authorized representative sign the form and submit it notarized.</p> <p>The other forms of Bid Security are:</p> <p><b>b. Cash or Manager's Check issued by the local commercial/universal bank equivalent to at least 2% of the ABC;</b></p> <p><b>c. A Bank Draft / Bank Guarantee or Irrevocable LC equivalent to at least 2% of the ABC; OR</b></p> <p><b>d. Surety Bond</b> callable upon demand equivalent to at least 5% of the ABC.</p> <p>In case Bidder will opt for a Surety Bond, The Bidder has to submit a Certification from the Insurance Commission that the bonding company is authorized to issue Surety Bond. In addition to this, the Surety Bond should contain all the 14 grounds for the forfeiture of the Bid Security and it be written on Bond Itself.</p> <p>Chair advised the Bidder to show the 14 grounds to their bonding company so that the latter can include or type them on the copy of the bond itself.</p> <p>The fourteen (14) grounds is found in Clause 12.1(b) (i) (c) (3) (i) to (xiv) of the Bid Data Sheet.</p>

<p><b>Annex V</b> Technical Bid Form</p>	<p>As the Technical Bid Form was flashed on the screen Chair's instructions are as follows:</p> <ul style="list-style-type: none"> <li>• There is an instruction on the top most part of the form that states "Please use the Bid Form. Do not retype or alter";</li> <li>• Bidder to put the word "Comply" on all the line item on the column "Bidder's Statement of Compliance";</li> <li>• All pages must be signed by the authorized representative of the Bidder.</li> </ul> <p>Chair reminded the Bidder that if there are any blanks left out unfilled, the TBF will fail because it will mean that the Bidder cannot comply with the <b>technical specifications</b>.</p>
<p><b>Annex V-A</b> Duly signed/conformed Terms of Reference of BOC</p>	<ul style="list-style-type: none"> <li>• Bidder's authorized representative/s to sign the "Conforme" box provided on all pages.</li> </ul>
<p><b>Annex V-B</b> Duly signed/conformed Service Level Agreement of BOC</p>	
<p>Certification from FireEye Corporation that the Service Provider/Bidder is a duly-certified partner of FireEye Corporation for the past three (3) years.</p>	<p>Bidder to submit a Certification from FireEye Corporation that the Service Provider/Bidder is a duly-certified partner of FireEye Corporation for the past three (3) years.</p>
<p><b>Annex VI</b> Certificate of Performance Evaluation</p>	<p>The Committee wants to make sure that the Bidder has a good record with his client. As such, Bidder has to go back to the client which they identified in Annex I-A as the completed contract client/s.</p> <p>Bidder to present this form to their client and request the SLCC to transpose the form in their letterhead and then rate the Bidder. The rating should be at least <b>Satisfactory</b>.</p> <p>Chair emphasized that the form must be in the company letterhead of Bidder's Single Largest Completed Contract Client/s.</p> <p>Chair informed the Bidders that the Committee will issue a Bid Bulletin to revise the Certificate of Performance Evaluation form (<b>Annex VI</b>) that the rating of should be at least "<b>Satisfactory</b>".</p>
<p>Proof of Authority of the Designated Representative</p>	<p>Submission of a Proof of Authority of the Bidder's Authorized Representative:</p> <ul style="list-style-type: none"> <li>a) For Sole Proprietorship submission of Duly Notarized Special Power of Attorney;</li> <li>b) For Corporation, Cooperative, or the Members of the Joint Venture submission of Duly Notarized Secretary's Certificate evidencing the authority of the designated representative/s.</li> </ul> <p>In the case of Unincorporated Joint Venture each member shall submit a separate Special Power of Attorney and/or Secretary's Certificate evidencing the authority of the designated representative/s.</p> <p>Once again, Chair advised Bidder to check the wordings. In case the Board appoints more than one person, it is safe that it be worded "any of the following" or "or" so that even only one person can bind the company.</p>

	<p>However, if not stated this way, then the Committee will look for all the names and signatures of the persons named in the Secretary's Certificate. And if one signature is missing, the submission is non-compliant and will fail.</p>
<p><b>Annex VII</b> Omnibus Sworn Statement (OSS)</p>	<p>Chair informed that the OSS is standard in all government biddings.</p> <p>Chair advised Bidder to use the form that PITC provided in this Bidding Document.</p> <p>The form must be copied verbatim. But to be sure that nothing is missed out, Chair suggested that the form just be scanned or photocopied and then filled up.</p> <p>On the "I/We", the name of the authorized representative named in the Secretary's Certificate will appear on the line.</p> <p>All blanks must be filled up, appropriate boxes must be ticked off.</p> <p>On the Authority of the Designated Representative, the portion: <u>Name, Title and Specimen Signature</u> must be filled up. All statements from "a" to "h" must be complete.</p> <p>The last page must be signed by the authorized representative and notarized.</p>

**ENVELOPE 2 – FINANCIAL ENVELOPE**

<p><b>Annex VIII</b> Financial Bid Form</p>	<p>Envelope 2 will contain the Financial Bid of the Bidder. Chair's instructions are as follows:</p> <ul style="list-style-type: none"> <li>• Bidder has to indicate the bid amount both in figures and in words in the Financial Bid Form;</li> <li>• Bidder must fill out all line items. If an item is to be given free, bidder must indicate "0";</li> <li>• Forms to be signed by the bidder's authorized representative</li> </ul> <p>Chair explained that the Financial Bid Form cannot be retyped. it may be photocopied for purpose of the other 2 copies required.</p>
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- The Chair opened the floor for questions/clarifications. Hereunder are the details:

<b>Bidder's Query/Ciarification/s</b>	<b>Committee's Reply</b>
<p>My only concern is the Terms of Payments, the quarterly payment is that final or negotiable?</p>	
	<p>You need to raise that concern writing sir, and we will confer with the BOC because as of now whatever is written in the Bidding Documents that's the requirement and if there will be any changes in any of the requirement it will be though a Bid Bulletin.</p>
	<p>And I suggest you may indicate your counter proposal so that the end-users will have the basis.</p>
	<p>And if in case we grant your request and we issue a revised forms please use the revised forms, do not just correct the old forms you need to use the revised forms that we issued in a Bid Bulletin.</p>
	<p>Good luck, review your documents well.</p>

**OTHER MATTERS:**

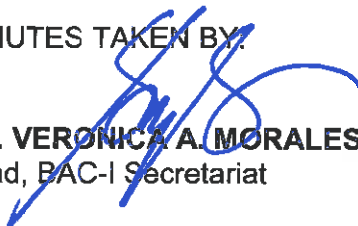
- Bidder must **sign** or **initial** each and every interlineation, erasure, overwriting and correction made on their bids. Failure to do so shall result in the invalidation and rejection of their bids.
- Chair suggest that Bidder can put everything in writing and not wait for the last minute to ask/raise questions which can be sent by email or fax to the PITC BAC, and the Committee's reply will be through a Bid Bulletin which will be posted in PhilGEPS and PITC website ([www.pitc.gov.ph](http://www.pitc.gov.ph)).


**BAC SCHEDULE:**

- Bidder can send queries/concerns until **29 November 2019** (Friday)
- The Bid Opening is scheduled on **11 December 2019** (Thursday, 2:00 PM)

Adjourned at 12:20 P.M.

MINUTES TAKEN BY:

  
**MA. VERONICA A. MORALES**  
Head, BAC-I Secretariat  
LMC

APPROVED BY:  
  
**CHRISTABELLE P. EBRIEGA**  
Chairperson, BAC-I



# ATTENDANCE SHEET

## PRE-BID CONFERENCE (Bid Ref. No. GPG-B1-2019-382)

PROCUREMENT OF MAINTENANCE OF CYBER SECURITY SOLUTION FOR THE BUREAU OF CUSTOMS (BOC)  
 26 November 2019, 11:00 A.M., 5/F Conference Room, Philippine International Trading Corporation (PITC)  
 NDC Building, 116 Tordesillas Street, Salcedo Village, Makati City

### BIDS AND AWARDS COMMITTEE (BAC) I - GOVERNMENT PROCUREMENT GROUP PROJECT

Regular Members	Gender	Signature	Technical Working Group	Gender	Signature
1) Christabelle P. Ebriega	F		Elena E. Romero	F	
2) Atty. Ma. Gudelia C. Guese	F		2) Katrina B. Alba	F	
3) Myra Chitella T. Alvarez	F		3) Jinky C. Apolinar	F	
4) David A. Inocencio	M		4) Rhoneil O. Bautista	M	
5) Joel S. Rodriguez	M		5) Maria Victoria S. Castillo	F	
6) Irene G. Alayon	F		6) Jacky C. Crispino	M	
7) Atty. Nitzell Arthur R. Magdaong	M		7) Erika April C. Guycoa	F	
8) OIC Deputy Commissioner Donato B. San Juan	M		8) Kriss Ann S. Hizon	F	
9) MGen Job S. Yucoco (Ret.)	M		9) Fe B. Irenea	F	
<b>End-Users</b>			10) Maria Eda I. Maningat	F	
1) Patrick Errot C. Espallardo	M		11) Verna Liza DV. Maramot	F	
2) Raquel G. De Jesus	F		12) Gel Cyrell Y. Tallada	F	
3) LLOYD-THAN SAN LAMU	M		<b>Secretariat</b>		
4) Belle Alonzo	F		1) Ma Veronica A. Morales <i>LMC</i>	F	
5) _____			2) Jane C. Arcilla	F	
6) _____			3) Ana DG. Asprec	F	
<b>Account Officer</b>			4) Ma Teresa S. Elima	F	
1) Jinky C. Apolinar	F		5) Mirasol S. Ninobla	F	
2) _____			6) Ma. Irissa G. Ordillano	F	
			<b>Observer/s</b>		
			1) _____		
			2) _____		

(COA)





# Bids and Awards Committee (BAC 1)

## ATTENDANCE SHEET : PROSPECTIVE BIDDERS

## PRE-BID CONFERENCE

(Who Have Not Yet Bought Bid Docs as of Pre-Bid)

Name of Project : PROCUREMENT OF MAINTENANCE OF CYBER SECURITY SOLUTION FOR THE BOC

Bid Reference No. : GPG-B1-2019-382

Time / Date & Venue : 26 November 2019, 11:00 A.M., 5th Floor Conference Room, PHILIPPINE INTERNATIONAL TRADING CORPORATION (PITC)  
NDC Building, 116 Tordesillas Street, Salcedo Village, Makati City

**NO ID - NO ENTRY**  
For Company Personnel  
• Valid Company ID with picture and signature  
For Individuals (Not representing any Company)  
• Any valid government-issued ID with picture and signature

PLEASE PRINT LEGIBLY

ID No.	PRINTED NAME/S OF REPRESENTATIVE	GENDER	COMPLETE COMPANY NAME / ADDRESS	CONTACT NOS.	E-MAIL ADDRESS	LOT NO /s	TIME-IN	BIDDER'S SIGNATURE
	ROLAND TABILIM	M	ITSD / OF WEL CORPORATE CENTER METRO POLINA AVE MAKATI INFORMATION TECHNOLOGY SECURITY DIV.	0920024999	roland.tabilim@itsec.com.ph		11:15	