



Republic of the Philippines
CIVIL AVIATION AUTHORITY OF THE PHILIPPINES

**MINUTES OF THE BAC-BRAVO MEETING
PRE-BID CONFERENCE OF THE AIRFIELD LIGHTING SYSTEM
02:00 p.m., 06 August 2019, ODG Board Room**

1. Attendance

1.1 The BAC-Bravo Meeting was held on 06 August 2019, 02:12 p.m. at the ODG Boardroom, 4/F, Admin Building, CAAP, MIA Road, Pasay City.

1.2 In attendance were the following:

- Atty. Joseph Ray P. Gumabon, Chairperson
- Atty. Roberto Martin S. Buenaventura, Vice Chairperson
- Atty. Angelica Rose C. Dimalanta, Member
- Engr. Cecilio Ortiz, ANS, Provisional Member
- Atty. Ma. Edeliza Iruquin, Chairperson, TWG
- Engr. Florian Atienza, Member, TWG
- Engr. Rosemarie Tan, ANS, Provisional Member, TWG
- Engr. Arnold Balucating, ANS, End-user
- Engr. Virgilio S. Victorino, Jr., ANS, End-user
- Ms. Carmelynda V. Samoy, Member, Secretariat
- Ms. Dulce B. Peña, Member, Secretariat
- Ms. Annaliza Torre Franca, Member, Secretariat
- Ms. Sandra Serdan, Member, Secretariat
- Mr. Romar O. Palivino, MIS Staff
- Atty. Danjun G. Lucas, ODG, Observer
- Atty. Godfrey Ragudo, ELS, Observer
- Ms. May Chirelle Parnas, IAS, Observer
- Mr. Malcolm Ong, Evercon Builders and Equipment Corporation
- Ms. Lolita Ong, Evercon Builders and Equipment Corporation
- Mr. Johnny Ramos, Philcox (Philippines), Inc.
- Mr. Ian Estillore, Philcox (Philippines), Inc.
- Mr. Antonio Tioco, Philcox (Philippines), Inc.

Absentees:

- Mr. Jose J. Luna, Member
- Mr. Wilmar Montero, Member, TWG
- Ms. Jamaica Ana M. Gregorio, Member, TWG
- Mr. Emerson S. Pagkaliwangan, Head, Secretariat
- Ms. Eugene Parcasio, Member, Secretariat

47 **2. Meeting Proper**

48 **Pre-Bid Conference: Purchase / Installation of Airfield Lighting System and Other**

49 **Works at Sangley Airport. (Bid No. 19-028-07)**

50 **Approved Budget of the Contract: Php 99,632,800.00**

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52

53 Atty. Gumabon welcomed everyone in the meeting. He introduced to the bidders the

54 Members of the Committee and the project's end-users.

55

56 Atty. Gumabon requested the bidders to introduce themselves. There were two (2) bidders

57 for the project: (1) Evercon Builders and Equipment Corporation and Philcox (Philippines),

58 Inc.

59

60 Atty. Gumabon gave a background of the project. The project is an emergency

61 procurement. He mentioned that last June 10, 2019, PRRD ordered the Air Sector for the

62 DOTr to find ways and means to alleviate the worsening NAIA traffic congestion. DOTr

63 and CAAP have prepared the possible remedies to address the congestion. It is an agreed

64 effort on the part of DOTr and CAAP to abide by the instruction of the President – to

65 operationalize Sangley Airport to turboprop operations by 07 November 2019. We have to

66 undertake the emergency procurement for us to meet the deadline. The CAAP has

67 constituted the Sangley Airport Development Team composed of different end-users from

68 CAAP and DOTr. The BAC-Bravo was delegated to act as Special BAC for all

69 procurement related to Sangley. To comply with the deadline and to address the air traffic

70 crisis, we are undertaking an emergency mode of procurement. The emergency mode of

71 procurement is governed by the GPPB Circular No. 04-2016. Under the said circular, the

72 BAC is empowered to undertake even direct contracting as a mode to answer an

73 emergency. In direct contracting, we will just identify the bidder and we give the project.

74 But, we want to exercise a reasonable amount of discretion. We resulted to a sort of limited

75 source bidding. We have identified a certain criterion by which to invite bidders for all

76 projects related to Sangley. The criteria are that the bidders must have had completed

77 projects with CAAP, so that we will no longer require the submission of eligibility

78 documents, completed projects with CAAP, proven track record, experience and financial

79 capability.

80

81 Talking to the two bidders, Atty. Gumabon said that there were actually three (3)

82 companies which were nominated by both CAAP and DOTr, namely: 1) Evercon Builders

83 and Equipment Corporation; 2) Philcox (Philippines), Inc.; and 3) Integrated Energy

84 Systems Resources, Inc. But, IERSI filed a letter last Friday, 02 August 2019, stating that

85 they will not participate in this procurement activity. Only the two companies were left.

86 That is the reason why you (bidders) have received invitation from the BAC-Bravo

87 Committee.

88

89 A letter from Evercon was flashed on the screen with their questions/clarifications on the

90 project.

91

92 Atty. Gumabon mentioned that one of the questions of Evercon is -- *What will RA 9184*

93 *govern in these proceedings?* He said that the BAC-Bravo will follow RA 9184 and the

94 GPPB Circular.

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Atty. Gumabon shared that last 05 August 2019, they had a meeting with the end-user and they have identified that there are lacking documents that was submitted on the first Invitation to Bid that would not guide the BAC properly in the evaluation of the bid proposals; neither will it allow the bidders to tender a valid proposal. Atty. Gumabon said to the bidders to expect a second letter attaching additional documents for their appreciation. The second letter will be transmitted the soonest, with the attached General Conditions of the Contract (GCC), the plans and drawings, the technical specifications with compliance statement, and the Bill of Quantities.

Atty. Gumabon acknowledged the presence of Engr. Arnold Balucating, Asst. Director General II for Air Navigation Service (ANS) for attending the meeting.

The Evercon's list of questionnaire / clarifications was shown in the screen.

Q1. There is no mention in the ITB nor in the attachment whether the rules and regulations under IRR of RA 9184 shall be followed and complied with by all prospective bidders including the criteria and procedures, general terms and conditions to be applied by CAAP.

A1: Atty. Gumabon said that RA 9184 and the GPPB Circular 04-2016 will be followed.

Atty. Gumabon jumped first to Question no. 2.5.

Q2.5. Terms of Reference was not provided as mentioned in the Letter of Invitation to Bid.

A2.5. Upon review with the ANS, there are no Terms of Reference. There is no document entitled Terms of Reference. What is prepared is the Technical Specifications, which will serve as a primary reference. There is no Terms of Reference that was prepared, nor will be attached.

A.2.4 The GCC which will include the payment terms, delays and penalties. It will be transmitted within that day.

A2.1. The Instruction to Bidders (ITB) was not included and the Bid Data Sheet (BDS) because it is not compatible with the requirements of the GPPB Circular on emergency procurement. Please rely our instructions based on the ITB.

Atty. Gumabon highlighted the documentary requirements necessary for the bid as stated in Section 4.1.5 of the GPPB Circular 04-2016: Mayor's Permit, Omnibus Sworn Statement, Income/Business Tax Return and the computation of the Net Financial Contracting Capacity (NFCC). The NFCC has its own requirements. Please assume that the requirements for the NFCC is also necessary for the bidder to submit a valid computation. The NFCC is based on the formula of all on-going contracts of the bidder. This should also be attached as part of the NFCC.

Mr. Malcolm Ong clarified on Section 4.2 of the GPPB Circular 04-2016, RA 9184 and its 2016 Revised IRR already allow procuring entities to resort to alternative methods of

143 *procurement, particularly, Negotiated Procurement under Emergency Cases modality*
144 *during state of calamity or emergency case in the procurement of emergency items, such as*
145 *fuel requirements, by directly negotiating with a technically, legally and financially*
146 *capable supplier, contractor or consultant, following the prescribed rules and procedures.*
147

148 Mr. Ong asked What is the basis for being a “technically capable supplier”?
149

150 Atty. Gumabon replied that the nomination for Evercon came from the ANS because they
151 have had completed contracts with CAAP. The nomination of the Philcox is from the
152 DOTr.

153 Atty. Gumabon asked Mr. Ong if he is attacking the qualification of the Philcox since there
154 are only two (2) of them as bidders for the project.
155

156 Mr. Ong said No.
157

158 Atty. Gumabon said that both bidders can submit their technical and financial proposals on
159 15 August 2019. He added that technical capability – the BAC-Bravo accepted both
160 nominations because of the presentation of the DOTr and ANS that the two companies
161 have had completed projects with the government.
162

163 Atty. Lucas, an observer, asked that if he may be allowed to make manifestation on the
164 presentation of the Office of the Director. When the Office of the USec for Aviation and
165 Airports, DOTr transmitted the letters coming from Philcox and Evercon, respectively. It
166 was not an endorsement of that kind, but was for the evaluation of the BAC-Bravo, just to
167 take exemption to the earlier manifestation that the DOTr recommended either of them.
168 Both of the bidders sent their letters to the DOTr. The DOTr’s ASec for Procurement
169 transmitted those letters to the ODG, CAAP, for further proper handling. Thus, the ODG
170 transmitted those letters to the BAC-Bravo.
171

172 Atty. Gumabon said that the BAC-Bravo, when the project was subject for Pre-
173 Procurement, the BAC-Bravo resolved that invited bidders must have completed contracts
174 with CAAP of proven technical and financial capability. At that time, ANS only
175 recommended Evercon based on historical records. With that, because there is only one
176 recommendation from the end-user, we required the TWG to inquire with DOTr for other
177 companies that have provided this product with the government. We are hesitant to do
178 direct contracting. Our standard is that at least three (3) bidders must be invited.
179

180 Atty. Gumabon asked Atty. Ragudo if he made an inquiry with DOTr on the prospective
181 bidder for the project.
182

183 Atty. Ragudo answered yes. He said that he asked Engr. Pamatmat, Focal Person of DOTr
184 for Sangley Project, and was informed that Philcox or Integrated Energy System are the
185 bidders to be invited.
186

187 Atty. Gumabon said to Atty. Lucas that those were the history of the BAC for inviting
188 those prospective bidders.
189

190

191 Atty. Lucas thanked Atty. Gumabon for that information and reiterated that what he said
192 was only a manifestation.
193

194 Mr. Ong commented that Engr. Pamatmat advised to invite three (3) prospective bidders in
195 this procurement activity. Invite did not mean that they are already qualified bidders. BAC
196 should invite three (3) bidders as stated in the RA 9184. He explained that he understood
197 that emergency procurement is just to lessen the procurement process and to avoid
198 publication, but RA 9184 must still be followed.
199

200 Atty. Gumabon said that BAC-Bravo took note of Mr. Ong's comments.
201

202 Atty. Gumabon said that there is a process also. Just because we have invited three bidders
203 doesn't mean that no process will be undertaken. Our schedule of activities will include bid
204 evaluation and post-qualification until such time, the BAC TWG will evaluate the capacity
205 of each bidder in undertaking the project.
206

207 *Q2.6. Approved Plans and Drawings.*
208

209 A2.6. Atty. Gumabon said that approved plans and drawings will be included in our
210 addendum for the bid documents.
211

212 *Q2.7. Bill of Quantities.*
213

214 A2.7. BOQ will also be included in the bid docs.
215

216 *Q2.8. The invitation letter required submission of NFCC but not mention to submit list of*
217 *all on-going projects, then, how this will be computer based on the formula.*
218

219 A2.8. The NFCC has its own requirement on the basis of its computation. Kindly comply
220 with the formula provided.
221

222 *Q2.9 Since the subject Project involves vital airport facilities installation, do we need to*
223 *submit similar contracts referring to Supply, Installation, Testing and Commissioning of*
224 *Airfield Ground Lighting Works in an active/operational Airport with supporting*
225 *documents such as Certificate of Completion and Acceptance issued by Philippine Airport*
226 *Authority with copy of contract of NOA and NTP.*
227

228 A2.9. Atty. Gumabon asked, is that a requirement in the SCC? Then, he said the
229 Committee will discuss this item later.
230

231 *Q3. No requirement for submission of PCAB License with navigational facilities as*
232 *registration particular.*
233

234 A3. Atty. Gumabon said that this item has been extensively discussed with ANS. The BAC
235 only relies on the law to guide RA 9184 and its respective circulars and the GPPB opinions.
236 The end-user has submitted this to the BAC-Bravo as a procurement for goods. The law
237 clearly states that a PCAB license is not required for procurement of goods. Also, when we
238 researched with the GPPB, the procuring entity has the discretion to qualify what

239 procurement activity it decides to undertake. It is the procuring entity that decides on
240 whether a project is infra, goods or services. There is also called mixed project, whether if
241 the project involves goods, with infrastructure components on how it will be taken. To this,
242 the GPPB says on its own opinion that the procuring entity once again has the discretion to
243 decide if the particular project is goods or infrastructure. The primary guidance is as to the
244 purpose. In this case, the ANS has submitted to BAC documents pertaining procurement of
245 goods. For this procurement activity, the BAC-Bravo will follow the government
246 procurement manual on goods and dispense with the requirement of the PCAB license.

247
248 Atty. Gumabon also expressed that if the prospective bidders have PCAB license, that is
249 great. It is not required, but you have it, then our engineers are comforted with that fact. For
250 this particular activity, it is good that both of you have that license. But to explain only the
251 process of BAC-Bravo that we are complying merely with what the law has provided and if
252 the law said that it is not required, then it is not required. It is very clear in the GPPB
253 opinion that PCAB license is not required in the procurement of goods and consulting
254 services. In CAAP, it is the different Committee that handles infrastructure projects. Our
255 Committee, BAC-Bravo, primarily handles goods and services.

256
257 Ms. Ong requested to go back to Q2.9 of the letter from Evercon.

258
259 A2.9. Atty. Gumabon said that ANS has submitted a Memo to the BAC-Bravo but we have
260 yet to sit down and evaluate it. We will just address it subsequently through the Bid
261 Bulletin.

262
263 Atty. Gumabon announced that we are moving the procurement to August 15, 2019 in light
264 of the additional documents which will be given to the prospective bidders within the day.
265 Also, ANS requested that the bidders conduct a site inspection on Friday, 09 August 2019.
266 He also informed everyone that Sangley Airport has its own security protocol, we will be
267 assigning ANS officer to join in the inspection.

268
269 For the site inspection, the prospective bidders will provide ANS with the list of their
270 representatives, and the details of vehicle that they will be using (make, model and plate
271 number).

272
273 *Q4. A careful reading of the Contractor's License Law RA 4566 explains the context of the*
274 *requirement, to wit: (defining contractor, general engineering contractor, and specialty*
275 *contractor.*

276
277 Ms. Ong said that she fully understood that the procuring entity is the one who will decide
278 whether the procurement is goods and infrastructure, but she emphasized that there is a
279 law, RA 4566, which requires any contractor/bidders who is going to undertake an
280 installation works to have a valid PCAB and one of the requirements in the document they
281 received from PCAB advising them to make sure that the contractor or sub-contractor to
282 have a proper license. Then, Ms. Ong read the letter they had received from DTI. *"In*
283 *connection with the reports received by the Philippine Contractors Accreditation Board*
284 *(PCAB) that there are unlicensed contractors, subcontractors and specialty contractors*
285 *who undertake construction projects, we would like to seek your cooperation in ensuring*

286 that only those licensed by PCAB undertake your projects as mandated by RA 4566 and its
287 Implementing Rules and Regulations.

288
289 *Section 36. License required in biddings. All architects and engineers preparing plans and*
290 *specifications for work to be contracted in the Philippines shall include in their invitation*
291 *to bidders and in their specifications a copy of this Act, or such portions thereof as are*
292 *deemed necessary to convey to the invited bidder; whether he is a resident of the*
293 *Philippines or not, the information that it will be necessary for him to have a license before*
294 *his bid is considered.*

295
296 *Section 37. Individual License. It is unlawful for any person who is responsible managing*
297 *partner, officer or employee of a licensed partnership, corporation, firm, association or*
298 *other organization to individually engage in the constructing business of individually act in*
299 *the capacity of a contractor within this jurisdiction without having a license in good*
300 *standing to so engage or act.*

301
302 Ms. Ong said that she understood that this project is not goods and she did not know how
303 the decision of the Committee that it should fall under the classification of goods. She
304 mentioned that they indicated in the letter that the project is a considered or part of the
305 capital infrastructure of the entity.

306
307 Ms. Ong asked if the project forms part of the government capital investment.

308
309 Atty. Gumabon replied reiterating that the procuring entity has the discretion how to
310 classify a project, whether it is infrastructure or goods. Our end-user has prepared
311 documentation for the BAC-Bravo to consider that this project is for goods. Under RA
312 9184, which is the primary law that the BAC is guided by, it does not require a PCAB
313 license. In this particular situation, the BAC is informed, that both of your entities already
314 have a PCAB license. For this particular activity, such a requirement would be moot. For
315 purposes of academic discourse, BAC-Bravo has decided to dispense with a PCAB license
316 because this is a procurement for goods. He said that he took note of Ms. Ong's reference
317 law, RA 4566 and Section 36, the law directs the architects and engineers to have that
318 license and to attached the same in the bid documents. It regulates the architects and
319 engineers and not the BAC. If you would like to attach the license, that is not a problem,
320 but in the event of conflicting laws, then the specific law will prevail. Special law
321 governing specific activity prevails. Here, the jurisdiction of the BAC emanates from RA
322 9184. If there is a conflict of RA 9184 and RA 4566, then the BAC will choose RA 9184
323 over this law. This law does not also conflict with our procedures. RA 4566 regulates
324 architects and engineers, in their submissions to the BAC, not the other way around,
325 wherein the BAC will require such a submission.

326
327 Atty. Gumabon hoped that his explanation addressed Ms. Ong's queries, and if not, this is
328 not the place. We would have to go to a higher Authority to be guided. We can raise this
329 before the GPPB, but he said frankly that the Committee does not have the time for it.

330
331 Ms. Ong answered that she just likes to know if this is a part of the government capital
332 investment.

333

334 Atty. Gumabon answered that the BAC would refer her question to the DOTr because the
335 source of funding for this project is from the DOTr.
336

337 Ms. Ong said that Section 36 mentioned about the architects and engineers. This is
338 referring to the engineers of the procuring entity.
339

340 Atty. Gumabon disagreed saying, "*No, Ma'am, of the ones participating in a bid.*"
341

342 Ms. Ong asked, "*Who is preparing the plans and specifications from work to the*
343 *contracted engineers.*"
344

345 Atty. Gumabon answered, "*the bidders would be asked to prepare the plans.*"
346

347 Ms. Ong said, "*No, I mean, the plans and specifications are not coming from the bidders. It*
348 *is coming from the procuring entity.*"
349

350 Mr. Ortiz answered that we, the procuring entity, provide the technical specifications in
351 accordance with our Manual of Standards, prepared by the certified CNSS officers. It is a
352 requirement needed by ANS as part of deliverables, the plans and specifications that is in
353 accordance with the ICAO Standards and Recommendations.
354

355 Atty. Gumabon said that RA 4566 is a regulation on the profession of architects and
356 engineers not on CNS officers or the procuring entity. This law was promulgated in 1965.
357 The procurement law, RA 9184 was promulgated at a much later date.
358

359 Ms. Ong said, "*But that is not superseded yet.*"
360

361 Atty. Gumabon replied, "*I know, Ma'am, under the principle of statutory construction,*
362 *later laws prevail over older ones. Special laws prevail over general laws. Special laws on*
363 *specific activities prevail over special laws over general actions. In the case of*
364 *procurement, which is a specific activity of the government, RA 9184 will prevail over any*
365 *other law. If you have further question on that, we can raise that with the GPPB, because*
366 *they are the regulatory body of the BAC and not PCAB.*"
367

368 Atty. Gumabon added that he would refer to the opinion of the GPPB more than PCAB.
369

370 Ms. Ong mentioned that in their letter, it was indicated that DOTC including airport
371 operators and civil aviation that projects require the PCAB license.
372

373 Atty. Buenaventura asked the invited bidders whether they have PCAB license.
374

375 Ms. Ong said yes. Likewise, the representative of Philcox also said yes.
376

377 Ms. Ong said that there is no harm to require a PCAB license.
378

379 Atty. Gumabon reiterated that he will not require a PCAB license for a goods procurement.
380

381 Atty. Gumabon directed the TWG to flash the RA 9184. He said that it is expressly stated
382 that PCAB license is only in the case of infrastructure projects. He emphasized that the
383 Committee does not wish to deviate on this circular.
384

385 Ms. Ong asked, "Are you saying Sir that this is a mixed procurement?"
386

387 Atty. Gumabon answered, "This is a goods procurement."
388

389 Ms. Ong said, "Goods?, Definition of procurement of goods."
390

391 Atty. Gumabon said again that the ANS has already submitted the bid documents that this
392 is a procurement of goods. It is within their discretion, within their jurisdiction and we are
393 going through it. I do not understand why you insists further questioning that discretion.
394

395 Ms. Ong said, because the CAAP, whether it is a procurement of goods or infrastructure,
396 they require a PCAB license. That is one protection to the government in case there are
397 other interested suppliers, especially this involves safety of the airport. In other agencies
398 they also classified procurement of goods, but they require the bidders to have a
399 contractor's license.
400

401 Atty. Gumabon called for an executive session at 02:59 p.m.
402

403 The meeting was resumed at 03:08 p.m.
404

405 Moving on, Atty. Gumabon said on the matter of requiring a PCAB license for this
406 particular procurement activity, the BAC rules that the PCAB license is not required. That
407 is our decision. He said that Ms. Ong is not prevented from seeking other opinions or
408 appealing the decision of the BAC for this particular item.
409

410 *Q8. Please clarify what will be the terms of payments, is there advance down payments and*
411 *progress billing allowed?*
412

413 A8. It will be addressed under the General Conditions of the Contract.
414

415 *Q9. Do we need to submit compliance statement together with bid to show proof of*
416 *compliance with the technical specifications?*
417

418 A9. We will also be providing the technical specifications with the compliance statement
419 requirement in our Addendum. Four (4) additional documents will be given to the
420 prospective bidders – the GCC, plans and drawings, technical specifications with
421 compliance statement, and the bill of quantities. The BAC will give those additional
422 documents as soon as the attachments are consolidated. These documents will form part of
423 the bid documents. This is also one of the reasons why the bid schedule is moved to 15
424 August 2019, Thursday, 10:00 a.m. in the CATC.
425

426 *Q10. We would like to request for site inspection prior to tender submittals, to whom would*
427 *we coordinate for the site inspection which is vital for the implementations of this Project?*
428

429 A10. Can be answered during the site survey.
430
431 *Q11. Are the power supply source such as substation for the Project readily available,*
432 *where will the tapping points?*
433
434 A11. Can be answered during the site survey.
435
436 *Q12. Please clarify the location of the site office, is there water and electricity?*
437
438 A12. Can be answered during the site survey.
439
440 *Q13. What is the allowed working hour since the airport is operational during daytime?*
441 *Are we allowed to work 24/7 with heavy equipment at site?*
442
443 A13. Can be answered during the site survey.
444
445 Atty. Gumabon emphasized that the deadline for the delivery, the full completion of this
446 project is November 7, 2019 for the PAPI lights. The completion of the works must be on
447 or before November 30, 2019.
448
449 *Q14. Is the financial proposal the only basis for award during evaluation?*
450
451 A14. The financial and technical proposals and the four (4) additional documents that the
452 BAC required under the GPPB circular will be the basis for award during evaluation.
453
454 *Q15. Do we need to submit schedule of requirements and schedule of project activities, as*
455 *these were attached together with the ITB to show proof that the bidder can meet the*
456 *timeline? What kind of guarantee is required to be submitted?*
457
458 A15. After the award, the NTP, we will enter into a contract and all of the bid documents
459 are deemed incorporated or part of the contract. Our schedules and conditions are part of
460 the contract. Our intent is to meet the deadline.
461
462 *Q16. Do we need to submit Bank Guarantee or Bid Securing Declarations since the project*
463 *is not merely supply of goods and what will be assurances that the project will be*
464 *completed in time by the contractor?*
465
466 A16. There are bonds and securities that are not required. Bid Securing Declarations are
467 not required, only the performance and warranty.
468
469 *Q17. What is the penalty for each day of delay, is extension of time allow, what if there is*
470 *any delay, what are the penalties to be charged since there is no clear rules and*
471 *regulations, General Terms and Conditions attached with the letter of invitation since we*
472 *understand this is an emergency purchase, Under what circumstances the time extension*
473 *will be allowed? What will be the consequences for not completing the project on time as*
474 *required to be completed in November 2019?*
475

476 A17. For penalties, we will not deviate. It will be the same set of penalties under any
477 regular procurement under the GCC. There will be no grant of extension for the project.
478 Please consider the November 30, 2019 deadline as an immovable date.
479
480 Mr. Ong asked on allowed working time since Sangley is being used by General Aviation.
481
482 Atty. Gumabon promised to get back to Evercon on this because the CAAP has to
483 coordinate this first with Sangley. Information will be given prior to the Opening of the
484 Bids.
485
486 Ms. Ong asked, "*What if not finished?*"
487
488 Atty. Lucas answered that the contract will be terminated.
489
490 Atty. Gumabon said that the remedies are granted to the government under any regular
491 procurement. We will implement performance security bond. Penalties under the contract.
492 Worse case scenario, that the bidder will be blacklisted from the bidding for one (1) year.
493
494 Ms. Ong asked if there will be no mobilization payment until completion.
495
496 Atty. Gumabon answered that the schedule of payments will be the same, because the GCC
497 will be the same.
498
499 Ms. Ong suggested payment until completion on time.
500
501 Atty. Gumabon replied that we will not deviate from the rules. But he promised to confirm
502 this with the DOTr.
503
504 Atty. Lucas said that no mobilization until completion was already confirmed by Asec
505 Banoy and ASec Steve.
506
507 Atty. Gumabon said that a bid bulletin will be published on this.
508
509 *Q18. What documents shall be the contents of Technical Proposal as stated in item 6 of the*
510 *ITB?*
511
512 A18. Please comply with the technical specifications and all other documents including the
513 SCC.
514
515 *Q19. Do we submit all the technical and legal requirements in 1 envelope and financial*
516 *documents in 2nd envelope?*
517
518 A19. Please prepare three (3) envelopes. Envelop 1 - the legal requirement will be the four
519 (4) documents require under the GPPB Circular, the Mayor's Permit, ITR, Omnibus Sworn
520 Statement and computation of the NFCC and its attachments; envelop 2 - Technical
521 Proposal; and envelop 3 - Financial Proposal. Three (3) sets.
522