



Republic of the Philippines
Department of Health

CENTRAL OFFICE BIDS AND AWARDS COMMITTEE

COBAC RESOLUTION NO. 2020-327-A

December 21, 2020

RECOMMENDING APPROVAL OF THE AWARD OF CONTRACT FOR THE PROCUREMENT OF RED EVACUATED TUBE-RE-BID IB NO. 2020-189-A

WHEREAS, an Open Competitive Bidding for the Procurement of Red Evacuated Tube- Re-Bid was conducted in accordance with Republic Act (RA) 9184 and its 2016 Revised Implementing Rules and Regulations (IRR) through the Government Appropriations Act (GAA) of 2020 with a Total Approved Budget for the Contract (ABC) of Four Million Four Hundred Seventy-Five Thousand Philippine Pesos (Php4,475,000.00):

Item No.	Particular	Quantity	Unit	Total ABC (Php)
1	Red Evacuated Tube	179,000	Piece	4,475,000.00

WHEREAS, COBAC Resolution No. 2020-327 “Declaration of Failure of Bidding for the Procurement of Red Evacuated Tube under IB No. 2020-189” was approved;

WHEREAS, on 23 September 2020, a Pre-Procurement Conference was conducted at 10:00 AM at COBAC Conference Room, DOH, to discuss the details of the procurement at hand;

WHEREAS, on 28 September 2020, the Invitation to Bid was posted in the PhilGEPS and DOH websites and in conspicuous places within the premises of the DOH for a continuous period of seven (7) calendar days;

WHEREAS, the Technical Working Group (TWG) was created through the issuance of Department Personnel Order (DPO) COBAC No. 2020-306 dated 30 October 2020;

WHEREAS, on 07 October 2020, a Pre-Bidding Conference took place as scheduled through videoconferencing at 10:00 AM at the COBAC Conference Room, DOH, no Prospective Bidder (PB) attended the cited Conference;

WHEREAS, the COBAC assumed the on-going PhilGEPS System maintenance as the reason of PB’s absence during the said activity, the COBAC-C, however, instructed the secretariat to send the Invitation to Bid to other known suppliers;

WHEREAS, on the same date, Invitation to Bid was sent via electronic mail (e-mail) to the following bidders:

1. Medical Center Trading Corporation (MCTC);
2. Omnibus Bio-Medical System (OBMS);
3. Euro-Med Laboratories Phil., Inc. (ELPI);
4. Indoplas Philippines Incorporated (IPI);
5. Trulaboratories Corporation (TC);
6. Zafire Distributors Incorporated (ZDI).

WHEREAS, on 08 October 2020, the Minutes of Pre-Bidding Conference was posted in the DOH Website;

WHEREAS, on 21 October 2020, the Submission and Opening of Bids took place as scheduled through videoconferencing at 9:00 A.M. at the COBAC Conference Room, DOH. One (1) bidder purchased the bidding documents and submitted its proposal via electronic submission, namely, MCTC. MCTC did not attend the cited activity;

WHEREAS, the first envelope, containing the Eligibility and Technical document was opened, and the presence, completeness and correctness of all the documents were verified by the COBAC-C. Upon examination, MCTC was declared INELIGIBLE due to the absence of the Sworn Statement in its bid proposal;

WHEREAS, on 22 October 2020, Letter of Ineligibility was sent through e-mail to MCTC due to non-submission of the Sworn Statement;

WHEREAS, on 23 October 2020, the COBAC-C received the Request for Reconsideration (RfR) from MCTC informing that the Sworn Statement was unintentionally attached to the folder of “Brochures and other files”;

WHEREAS, the Secretariat re-checked the submitted bid through e-mail and found that Sworn Statement was not tabbed and was attached to the Brochure and other files;

WHEREAS, on 26 October 2020, the RfR of MCTC was presented to COBAC-C. Upon review, said RfR was favorably granted and the Committee decided to re-schedule the opening of the Financial Proposal of the MCTC;

WHEREAS, on 28 October 2020, the Opening of Financial Proposal took place as re-scheduled through videoconferencing at 9:00 A.M. at the COBAC Conference Room, DOH. The second envelope containing the Financial Proposal was opened, and the presence, completeness and correctness of the documents were verified by the COBAC-C. Upon examination, MCTC was declared “ELIGIBLE” and “PASSED”. MCTC’s bid was read out publicly and posted in the Abstract of Bids, to wit:

Name of Company				MCTC
Bid Security				Bid Securing Declaration
Amount				N/A
Validity				120 CD
REMARKS				
Item No.	Item Description	Qty.	Unit	TOTAL ABC (Php)
1	Red Evacuated Tube	179,000	Piece	4,475,000.00
				BID PRICE AS READ (Php)
				1,575,200.00

WHEREAS, MCTC was declared single bidder as read, subject to further arithmetical review and correction of the financial bid, if necessary and post-qualification;

WHEREAS, on the same date, the evaluation of the financial proposal of MCTC was undertaken by the designated TWG-Financial Evaluator;

WHEREAS, on 30 October 2020, the TWG-Financial submitted the Abstract of Bids as Calculated, to wit:

Item No. 1 – 179,000 pieces of Red Evacuated Tube

Bidder's Rank	Name of Company	ABC (Php)	Bid Price as calculated (Php)	% Variance from ABC
Single Calculated Bidder (SCB)	MCTC	4,475,000.00	1,575,200.00	64.80%

WHEREAS, on 04 November 2020, the Abstract of Bids as Calculated was presented to the COBAC-C during its 3rd Regular Meeting and upon deliberation, the Committee decided to proceed with the Post-qualification of the SCB, namely MCTC;

WHEREAS, on the same date, the COBAC-C issued a letter through e-mail to MCTC requesting for the submission of the Post-qualification requirements within a non-extendable period of five (5) calendar days upon receipt of the notification;

WHEREAS, on 09 November 2020, MCTC submitted the Post-qualification documents and was subsequently endorsed to the TWG for evaluation;

WHEREAS, 10 November 2020, the detailed evaluation of the eligibility, technical requirements and post-qualification documents of the SCB were undertaken by the designated TWG to verify, validate and ascertain the documents submitted by the SCB;

WHEREAS, on the same date, the TWG-Financial found MCTC “Responsive” and submitted its report. The TWG-Legal found the following findings and submitted its report, to wit:

TWG-Legal Findings

1. Clarify with the bidder a clear copy of the Sales Invoice and Cash Receipt No. 0095112
2. 4 th Quarter Official Receipt as proof of payment for the Mayor's/Business permit
3. Refer to TWG technical the SLCC in the similarity of contract (face mask be considered as laboratory supplies)
4. Submission of stamped received of Articles of Incorporation (AOI) and General Information Sheet (GIS)

WHEREAS, on the same date, the COBAC-C informed the MCTC through e-mail regarding the clarification on the above-cited findings;

WHEREAS, on 11 November 2020, TWG Legal and Financial Reports were presented during its 4th COBAC-C Regular Meeting. Upon deliberation, the Committee instructed the Secretariat-in-charge to follow-up the TWG-Technical for the submission of its report;

WHEREAS, on the same date, MCTC submitted its response, however it was noted that all queries of the TWG Legal were addressed by MCTC except for the submission of stamped received of AOI and GIS;

WHEREAS, on 16 November 2020, the COBAC-C requested approval from the Head of the Procuring Entity (HOPE) through the Undersecretary of Public Health Services Team (PHST) to extend the Post-Qualification process pursuant to Section 34.8 of RA 9184 and its 2016 Revised IRR, and was subsequently was approved;

WHEREAS, on 18 November 2020, the TWG Technical found MCTC “Complying” and submitted its report;

WHEREAS, on the same date, the TWG report was presented to COBAC-C during its 5th Regular Meeting. Upon review, the Committee decided to follow up the MCTC relative to TWG Legal verification;

WHEREAS, several follow-ups were made to MCTC;

WHEREAS, on 26 November 2020, MCTC submitted the GIS with the Security and Exchange Commission (SEC)'s computer generated acknowledgement of receipt. However, the TWG-Legal asked the submission of GIS with SEC stamped received;

WHEREAS, on 06 December 2020, MCTC informed the COBAC-C that the SEC's computer generated acknowledgement is the proof of receipt of the GIS;

WHEREAS, on 07 December 2020, the TWG-Legal report and response from MCTC were deliberated by the COBAC-C. Upon review and deliberation, the Committee decided to request MCTC for the submission of any issuance or copy of issuance or guidelines from SEC that stamping "received" of document is temporarily halted;

WHEREAS, on the same date, the COBAC-C issued a letter to MCTC through e-mail requesting for the above-cited document;

WHEREAS, on 16 December 2020, MCTC submitted the SEC Memorandum Circular No. 18 Series of 2020 relative to Procedures in Filing of Audited Financial Statements and General Information Sheet to SEC after the Community Quarantine;

WHEREAS, the submitted SEC Memorandum Circular No.18 Series of 2020 was forwarded to the TWG Legal. Upon review, the TWG-Legal retain its finding/ comment relative to GIS stamped received from SEC since it was already emailed and acknowledged by SEC dated June 03, 2020;

WHEREAS, on 17 December 2020, the cited response from MCTC was presented to the COBAC-C during its Regular Meeting. Upon review and deliberation, the Committee decided to overrule TWG legal clarification and declared MCTC "Post-qualified";

WHEREAS, on the same date, the TWG submitted the final Bid Evaluation and Post-Qualification Reports (BEPQR) citing the bid of the MCTC, "responsive" to conditions specified in the bidding documents and technical and financial requirements, however, with legal clarification on the GIS stamped received from SEC;

WHEREAS, on the same date, the Committee reviewed and deliberated the TWG reports as well as the documents submitted by the SCB for the item listed below and the following are the salient points of the deliberation:

Description	Name of Bidder	Bidder's Rank	ABC (PHP)	Bid Price (PHP)	TWG		COBAC	
					Findings	Recommendation	Findings	Recommendation
Red Evacuated Tube	MCTC	SCB	4,475,000.00	1,575,200.00	The SCB passed the post-qualification and found to have complied with the technical and financial requirements. However, for clarification on the GIS stamped received from SEC.	Responsive	<ul style="list-style-type: none"> •The COBAC-C conforms with the recommendation of TWG Technical and Financial. •COBAC overruled recommendation of the TWG Legal requesting attachment of GIS that is stamped "received" •MCTC is determined to be responsive and have complied to all the requirements and conditions as specified in the Philippine Bidding Documents and recommended for the award of contract. 	Single Calculated and Responsive Bid (SCRB)

WHEREAS, at the time of signing of this Resolution, there is no pending incident, no pending Request for Reconsideration, no pending protest and the COBAC-C followed the requirements set forth in RA 9184;

NOW THEREFORE, on the basis of the above, the herein members of the COBAC-C **HEREBY RESOLVE** to recommend the award of contract to **Medical Center Trading Corporation** as determined to be the Single Calculated and Responsive Bid with a Total Contract Price of One Million Five Hundred Seventy-Five Thousand Two Hundred Philippine Pesos (Php1,575,200.00) inclusive of other taxes for the item listed below:

Item No.	Particular	Quantity	Unit	Total Bid Price (Php)
1	Red Evacuated Tube	179,000	pieces	1,575,200.00

Signed this DECEMBER 2 of 2020 2020 at the Department of Health, San Lazaro Compound, Sta. Cruz, Manila.


CENTRAL OFFICE BIDS AND AWARDS COMMITTEE (COBAC) – C


DAVID P. MASIADO JR., ME, MM
Regular Member


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By Authority of the Secretary of Health:



NESTOR F. SANTIAGO JR., MD, MPH, MHA, CESO II
Assistant Secretary of Health
Public Health Services Team

FEB 03 2021