



Republic of the Philippines
Department of Health
CENTRAL OFFICE BIDS AND AWARDS COMMITTEE

COBAC RESOLUTION NO. 2021-193
25 MARCH 2021

**RECOMMENDING APPROVAL OF THE AWARD OF CONTRACT FOR THE
PROCUREMENT OF DOH CENTRALIZED ENTERPRISE ANTI-VIRUS/
IB NO. 2021-121**

WHEREAS, a Competitive Bidding for the Procurement of DOH Centralized Enterprise Anti-Virus was conducted in accordance with the Republic Act (RA) 9184 and its 2016 Revised Implementing Rules and Regulations (IRR) through the General Appropriations Act of 2021 with a Total Approved Budget for the Contract (ABC) of Two Million Five Hundred Thousand Philippine Pesos (PhP2,500,000.00):

Lot No.	Particular	Quantity	Unit	TOTAL ABC (PhP)
1	Procurement of DOH Centralized Enterprise Anti-Virus	1	Lot	2,500,000.00

WHEREAS, 12 October 2020, Purchase Request (PR) were received from Knowledge Management Information and Technology Service (KMITS);

WHEREAS, on 28 October 2021, the Pre-Procurement Conference was conducted by the Central Office Bids and Awards Committee (COBAC)-B at 1:00 P.M. at the COBAC Conference Room, Department of Health (DOH) to discuss the details and determine the readiness of the procurement at hand. Upon review the Committee recommended to proceed with the procurement process, upon the submission of revised PR reflecting the changes made during the said conference;

WHEREAS, on 06 November and 01 December 2020, the COBAC-B issued memoranda requesting for the submission of the revised PR;

WHEREAS, on 07 January 2021, KMITS submitted the revised PR

WHEREAS, on 18 January 2021, KMITS submitted another revised PR;

WHEREAS, the Technical Working Group (TWG) was created through the issuance of Department Personnel Order (DPO) COBAC No. 2021-043 dated 19 January 2021;

WHEREAS, on 21 January 2021, the Invitation to Bid (IB) 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, on 03 February 2021, a Pre-Bidding Conference took place as scheduled at 10:00 AM, at the COBAC Conference Room, DOH and through Cisco Webex, with three (3) prospective bidders attending, namely:

1. OS1 Solutions Inc. (OS1)
2. Integrated Technology Solutions, Inc. (ITSI); and,
3. AG Datacom Philippines Inc. (ADPI)

WHEREAS, on 05 February 2021, Minutes of Meeting of the Pre-Bidding Conference was posted in the DOH website;

WHEREAS, Bid Bulletin No. 1, dated 09 February 2021, was issued to amend or modify the posted bidding documents and to clarify all issues and concerns raised by the prospective bidders;

WHEREAS, on 17 February 2021, the Submission and Opening of Bids took place as scheduled at 9:00 A.M. at the COBAC Conference Room, DOH and through Cisco Webex. Two (2) prospective bidders procured the bidding document and submitted their respective bid proposals within the set deadline, namely:

1. OSI; and,
2. Konek-IT Network Technologies, Inc. (KNTI)

WHEREAS, the first envelopes, containing the Eligibility and Technical Documents were individually opened and the presence, completeness, and correctness of all the documents were verified by the COBAC-B in the presence of the prospective bidders' representatives. Upon examination, OSI and KNTI were declared "ELIGIBLE";

WHEREAS, the second envelopes, containing the Financial Proposal were individually opened and the presence, completeness, and correctness of the document were verified by the COBAC-B. Upon examination, the "ELIGIBLE" bidders were both rated "PASSED" and subsequently their financial proposals were read out publicly and posted in the Abstract of Bids, to wit:

Name of Company					KNTI	OSI
Bid Security					Surety Bond	Bid Securing Declaration
Amount					PhP125,000.00	N/A
Validity					120 calendar days	120 calendar days
REMARKS					ELIGIBLE/ PASSED	ELIGIBLE/ PASSED
LOT NO.	ITEM DESCRIPTION	QTY	UNIT	TOTAL ABC (PhP)	BID PRICE AS READ (PhP)	
1	DOH Centralized Enterprise Anti-Virus	1	Lot	2,500,000.00	1,596,000.00	1,520,000.00

WHEREAS, the OSI was declared as the Lowest Bid as read subject to further arithmetical review and corrections of the financial bid to determine the bona fide Lowest Calculated Bid (LCB), and post-qualification;

WHEREAS, on 17 February 2021, the evaluation of the financial proposals of OSI and KNTI were undertaken by the designated TWG - Financial Evaluator and subsequently submitted the Abstract of Bids as Calculated, to wit:

Lot No. 1 – DOH Centralized Enterprise Anti-Virus

Bidder's Rank	Name of Company	ABC (PhP)	Bid as Calculated Amount (PhP)	% Variance from ABC
LCB	OSI	2,500,000.00	1,520,000.00	39.20%
2 nd LCB	KNTI		1,596,000.00	36.16%

WHEREAS, on 24 February 2021, the Abstract of Bids as Calculated was presented to COBAC-B, upon deliberation, the Committee decided to proceed with the Post-qualification of the LCB, namely OSI;

WHEREAS, on 26 February 2021, the COBAC-B issued a letter through e-mail to OSI requesting for the submission of the post-qualification requirements within a non-extendible period of five (5) calendar days upon receipt of the notification;

WHEREAS, on 02 March 2021, OSI submitted its Post-qualification requirements within the prescribed period;

WHEREAS, on 04 March 2021, the detailed evaluation of the eligibility, technical requirements and post-qualification documents of the LCB were undertaken by the designated TWG to verify, validate and ascertain the documents submitted by the LCB;

WHEREAS, on 12 and 15 March 2021, the TWG-Legal, Financial and Technical found the bid of OSI “Non-Responsive” due to the following findings and submitted their respective reports:

REQUIREMENTS	FINDINGS
1. Single Largest Completed Contract (SLCC)	OSI failed to comply with SLCC completed within the two (2) years period from the date of submission and receipt of bids as stated in the Bidding Documents.
2. Price Schedule	<ul style="list-style-type: none"> No project cost on 1st Column of Statement of List of Ongoing govt./private contracts Submitted Statement /List of All Ongoing Govt./Private Contracts not in accordance to COBAC Prescribed/Sample Form.
3. Technical Specifications	The manufacturer in Malaysia is not in the list of partners based on searches made in the websites in Malaysia as well as the distributor in the Philippines.
4. Latest Business Tax Return filed thru Electronic Filing and Payment System (EFPS) duly validated with the tax payments made thereon also refers to the Value Added Tax (VAT) or Percentage Tax Returns covering the previous <i>six (6) months</i> (per Revenue Regulations 3-2005)	No attached EFPS payment details for 4 th Quarter 2020 VAT Return

WHEREAS, on the same date, the COBAC-B during its 18th Regular Meeting, upon review and deliberation, resolved to concur with the recommendation of the TWG and decided to declare the bid of OSI “post-disqualified” and decided to proceed with the post-qualification of the 2nd LCB, namely, KNTI;

WHEREAS, on 08 March 2021, the COBAC-B issued a Notice of Post-disqualification to OSI through email;

WHEREAS, on 09 March 2021, OSI filed a Request for Reconsideration (RfR) through e-mail within the prescribed timeline and was subsequently forwarded to the TWG for their evaluation;

WHEREAS, on 10 March 2021, the COBAC-B issued a letter through e-mail to KNTI requesting for the submission of the post-qualification requirements within a non-extendible period of five (5) calendar days upon receipt of the notification;

WHEREAS, on 12 March 2021, KNTI submitted its Post-qualification requirements within the prescribed period;

WHEREAS, on 16 March 2021, the detailed evaluation of the eligibility, technical requirements and post-qualification documents of the 2nd LCB were undertaken by the designated TWG to verify, validate and ascertain the documents submitted by the 2nd LCB;

WHEREAS, on 12 and 15 March 2021, the TWG-Legal and Technical found the following findings in response to the RfR of OSI and submitted its report:

REQUIREMENTS	FINDINGS
1. Single Largest Completed Contract (SLCC)	Denied. Failure to comply within the two (2) years period relative to the SLCC.
2. Technical Specifications	OSI to request the Kaspersky Inc. to update their website to prove that they are the authorized distributor or partner. It is the fastest and the easiest way to check and verify the authenticity of OSI as an authorized distributor or partner by checking in the official Kaspersky website.

WHEREAS, on 16 March 2021, the TWG-Financial ~~and Technical~~ found the bid of KNTI “Responsive” ~~and~~ submitted their respective reports, however the TWG-Legal found the finding listed below for clarification:

REQUIREMENTS	FINDINGS
Articles of Incorporation (AOI) and General Information Sheet (GIS), in case the Bidder has submitted a SEC registration as part of the Eligibility Documents;	The bidder shall attach the valid and current (2021), authenticated or SEC, stamped received GIS for validation purposes

WHEREAS, on the same date, the COBAC-B issued a letter to OSI through email to acknowledge the receipt of its RfR;

WHEREAS, on 17 March 2021, the TWG report on the RfR of OS1 was presented to the COBAC-B during its 20th Regular Meeting, upon review and deliberation, the Committee concurred with the recommendation of the TWG and decided to deny the RfR of OS1;

WHEREAS, on 19 March 2021, the COBAC-B requested the Head of the Procuring Entity (HoPE) through the Undersecretary of the Office of the Chief of Staff for an extension to conduct the post-qualification for the above-mentioned procurement project pursuant to Section 34.8 of the 2016 Revised IRR of RA9184 and was subsequently approved;

WHEREAS, on 22 March 2021, COBAC-B issued a letter to OS1 denying their RfR;

WHEREAS, on 24 March 2021, the COBAC-B during its 21st Regular Meeting, upon review and deliberation, the Committee resolved to overrule the TWG findings and decided to declare the bid of KNTI "Post-qualified";

WHEREAS, no protest was filed by OSI within the prescribed timeline;

WHEREAS, on 25 March 2021, the TWG submitted the final Bid Evaluation and Post-Qualification Report (BEPQR) citing KNTI "responsive" to all the requirements and conditions specified in the bidding documents and noted that the COBAC-B overruled the findings of the TWG-Legal;

WHEREAS, on the same date, the BEPQR were presented to the COBAC-B. The Committee reviewed and deliberated the TWG reports as well as the documents submitted by the 2nd LCB for the lot 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
Procurement of DOH Centralized Enterprise Anti-Virus	KNTI	2 nd LCB	2,500,000.00	1,596,000.00	The 2 nd LCB passed the post-qualification and found to have complied with the technical and financial requirement, while for clarification on the legal requirement	For clarification	The COBAC-B overruled the findings of the TWG and declared the bid of KNTI "post-qualified". KNTI is determined to be responsive and has complied with all the requirements and conditions as specified in the Philippine Bidding Documents and recommended for the award of contract.	Lowest Calculated and Responsive Bid (LCRB)

WHEREAS, at the time of the signing of this resolution, there is no pending incident, no pending Request for Reconsideration, no pending Protest, and the COBAC-B strictly observed the requirements set forth in R.A. 9184;

NOW THEREFORE, on the basis of the above, the herein members of the COBAC-B **HEREBY RESOLVE** to recommend the award of the contract to Konek-IT Network Technologies, Inc. determined as the Lowest Calculated and Responsive Bid for the lot listed below with a Total Contract Price of One Million Five Hundred Ninety-Six Thousand Philippine Pesos (PhP1,596,000.00) inclusive of other taxes:

Lot No.	Particular	Quantity	Unit	Total Bid Price (PhP)
1	DOH Centralized Enterprise Anti-Virus	1	Lot	1,596,000.00

Signed this APR 16 2021 day of 2021 at the Department of Health, San Lazaro Compound, Sta. Cruz, Manila.

CENTRAL OFFICE BIDS AND AWARDS COMMITTEE-B

Esteban
CHERRIE D. ESTEBAN
Alternate Regular Member

Masiado Jr.
DAVID P. MASIADO JR., ME, MM
Alternate Regular Member

Charity L. Tan
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ALELI ANNIE GRACE P. SUDIACAL, MD, MPH
Vice-Chairperson

Gerardo V. Bayugo
GERARDO V. BAYUGO, MD, MPH, CESO I
Undersecretary of Health
Chairperson

By Authority of Secretary of Health:

Enrique A. Taya
ENRIQUE A. TAYAG, MD, PHSAE, FPSMID, CESO III
Director IV
Knowledge Management and Information Technology Service

APR 27 2021