



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

COBAC RESOLUTION NO. 2019-414-A

26 February 2020

**RECOMMENDING APPROVAL FOR THE AWARD OF CONTRACT FOR THE
PROCUREMENT OF IMMUNOHEMATOLOGY ABO AND RH GROUPING REAGENTS
WITH ANTIBODY SCREENING WITH MACHINE TIE-UP (RE-BID)
IB No. 2019-267-A**

WHEREAS, Open Competitive Bidding for the Procurement of Immunohematology ABO and RH Grouping Reagents with Antibody Screening with Machine Tie-up (Re-Bid) was conducted in accordance with Republic Act (RA) 9184 and its 2016 Implementing Rules and Regulations (IRR) through the Continuing Appropriations Act of 2019 with a Total Approved Budget for the Contract (ABC) of Eight Million Seven Hundred Fifty Thousand Philippine Pesos (Php8,750,000.00): /

Item No.	Description	Qty	Unit	Est. Price (PHP)
1	Immunohematology ABO and RH Grouping Reagents with Antibody Screening with Machine Tie-up	35,000	test	8,750,000.00

WHEREAS, COBAC Resolution No. 2019-414 "Declaration of Failure of Bidding for the Procurement of Immunohematology ABO and RH Grouping Reagents with Antibody Screening with Machine Tie-up under IB No. 2019-267", was approved;

WHEREAS, on 15 October 2019, a Mandatory Review and Pre-Procurement Conference was conducted at 2:30 P.M. at the COBAC Conference Room, Department of Health (DOH) to determine the readiness of the procurement at hand;

WHEREAS, on 22 October 2019, Philippine Blood Center (PBC), submitted a revised Purchase Request (PR)

WHEREAS, on 28 October 2019, 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, a Technical Working Group (TWG) was created through the issuance of Department Personnel Order COBAC No. 2019-410 dated 05 November 2019;

WHEREAS, on 05 November 2019, the Pre-bidding Conference took place as scheduled at 10:00 A.M. at the COBAC Conference Room, DOH and four (4) prospective bidders attended the cited conference, namely:

1. Getz Bros Philippines, Inc. (GBPI);
2. Scientific Biotech Specialties Inc. (SBSI);
3. Endure Medical Inc. (EMI); and
4. Lifeline Diagnostics Supplies, Inc. (LDSI)

WHEREAS, on 08 November 2019, the Minutes of the Pre-Bidding Conference was posted in the DOH website;

WHEREAS, Bid Bulletin No. 1, dated 11 November 2019 was issued to clarify the issues and concerns raised during the Pre-bidding Conference and to reflect the changes made on the technical specifications;

WHEREAS, on 19 November 2019, the Submission^{and Opening} of Bids took place as scheduled at 9:00 A.M. at the COBAC Conference Room, DOH, three (3) prospective bidders purchased the bidding documents, submitted their respective proposal and attended the cited activity, namely:

1. GBPI;
2. SBSI; and
3. LDSI

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-C in the presence of the bidders' representatives. Upon checking, GBPI, SBSI and LDSI were declared "ELIGIBLE";

WHEREAS, the second envelopes, containing the Financial Proposal, were individually opened and the presence, completeness and correctness of all the documents were checked and verified by the COBAC-C in the presence of the bidders' representatives. Upon examination, the eligible bidders were rated "PASSED" and subsequently its proposal was read out publicly and posted in the Abstract of Bids, to wit:

Name of Company					GBPI	SBSI	LDSI
Bid Security					Bid Securing Declaration (BSD)	BSD	BSD
Amount					N/A	N/A	N/A
Bid Validity					N/A	N/A	N/A
Remarks					Eligible and Passed	Eligible and Passed	Eligible and Passed
Item No.	Item Description	Qty.	Unit	Total ABC (Php)	Bid Price as Read (Php)		
1	Immunohematology ABO and RH Grouping Reagents with Antibody Screening with Machine Tie-up	35,000	test	8,750,000.00	5,118,750.00	6,195,000.00	8,687,000.00

WHEREAS, GBPI was declared as the lowest bidder subject to further arithmetical review and correction of the financial bid to determine the bonafide Lowest Calculated Bid (LCB);

WHEREAS, on the same date, the evaluation of the financial proposals of GBPI, SBSI and LDSI were undertaken by the designated TWG - Financial Evaluator and subsequently submitted the Abstract of Bids as Calculated to wit:

35,000 tests of Immunohematology ABO and RH Grouping Reagents with Antibody Screening with Machine Tie-up

Bidder's Rank	Name of Company	Total ABC (Php)	Bid as Calculated Amount (Php)	% Variance from ABC
LCB	GBPI	8,750,000.00	5,118,750.00	41.50%
2 nd LCB	SBSI		6,195,000.00	29.20%
3 rd LCB	LDSI		8,687,000.00	0.72%

WHEREAS, on 26 November 2019, the Abstract of Bids as Calculated was presented to the COBAC-C during its 42nd Regular Meeting. Upon review, the Committee decided to proceed with the Post-qualification of the LCB, GBPI;

WHEREAS, on the same date, the COBAC-C issued a letter through facsimile and electronic mail (e-mail) to GBPI 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 29 November 2019, GBPI submitted its Post-qualification requirements within the prescribed period and was forwarded to the designated TWG;

WHEREAS, on 03 December 2019, 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 the same date, the TWG-Financial and Technical submitted its report declaring GBPI as "Responsive". However, the TWG-Legal submitted its report with the following findings:

Particular	Findings
Bid Security	<ul style="list-style-type: none">• The Bid Securing Declaration submitted was not signed by the Ms. Marika N. Riego, the authorized representative of the company as stated in the Secretary's Certificate
Omnibus Sworn Statement	<ul style="list-style-type: none">• The Omnibus Sworn Statement submitted was not signed by the Ms. Marika N. Riego, the authorized representative of the company as stated in the Secretary's Certificate
Authority of the Signatory	<ul style="list-style-type: none">• The Secretary's Certificate should be signed by the Corporate Secretary
Articles of Incorporation and General Information Sheet (GIS), in case the Bidder has submitted a SEC registration as part of the Eligibility Documents	<ul style="list-style-type: none">• Articles of Incorporation were not submitted.• In the renewed General Information Sheet (GIS), it was stated that 99.99% of the company is American owned.

WHEREAS, on the same date, the cited reports were presented to the COBAC-C C during its 43rd Regular Meeting. Upon further review and deliberation, the Committee concurred with the TWG recommendation, declared the LCB "Post-disqualified" and decided to proceed with the post-qualification of the 2nd LCB, SBSI;

WHEREAS, on 04 December 2019, the COBAC-C issued Notice of Post-disqualification letter to GBPI through e-mail;

WHEREAS, on the same date, the COBAC-C issued a letter through e-mail to SBSI 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 09 December 2019, GBPI filed a Request for Reconsideration (RfR) within the prescribed period;

WHEREAS, on the same date, SBSI submitted its post-qualification documents within the prescribed period;

WHEREAS, on 10 December 2019, 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 11 December 2019, the RfR of GBPI was presented to the COBAC-C C during its 46th Regular Meeting. Upon deliberation, the Committee decided to forward the cited document to the TWG-Legal for evaluation;

WHEREAS, on 13 December 2019, the COBAC-C issued a letter to GBPI acknowledging its RfR through facsimile and e-mail;

WHEREAS, on the same date, the TWG Financial Evaluator found SBSI "Non-responsive" considering non-compliance with the price schedule form as prescribed in the Philippine Bidding Document (PBD) stated in Section 6 of the Revised IRR of RA 9184 and submitted its report;

WHEREAS, on 17 December 2019, the TWG-Legal Evaluator found the RfR of GBPI non-complying based on Section II Clause Nos. 6.2(a) and 6.3 of the PBD, Section III -Bid Data Sheet Clause No. 12(a) of the PBD and submitted its report;

WHEREAS, on the same date, the cited reports together with the draft response letter were presented to the COBAC-C during its 47th Regular Meeting. Upon review and deliberation, the Committee concurred with the TWG recommendation and decided to deny the RfR of GBPI;

WHEREAS, on the same date, the COBAC-C issued a letter to GBPI through e-mail denying its RfR;

WHEREAS, on the same date, the TWG-Legal Evaluator found SBSI "Responsive" and submitted its report;

WHEREAS, on 19 December 2019, the TWG-Technical and Financial Evaluators found SBSI "Non-Responsive" based on the following findings, and submitted its report, to wit:

Particular	Findings
Detailed Specifications: <ul style="list-style-type: none">• Reagents: Provision of consumables including water requirements; complimentary reagents solutions and cleaning agents used in equipment maintenance• Guarantee letter from supplier to replace item with approved shorter shelf-life when returned three (3) months before expiry date	<ol style="list-style-type: none">1. No mention of "water" on the certificate submitted.2. No mention of cut off period as to when the item is to be returned for replacement.
Duly accomplished and signed Price Schedule	The Price Schedule submitted was not the prescribed form in the bidding documents as stated in Sec. 6 of the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act (RA) 9184.

WHEREAS, GBPI did not file a Protest within the prescribed period;

WHEREAS, on 07 January 2020, the cited reports were presented to the COBAC-C C during its 1st Regular Meeting. Upon further review and deliberation, the Committee concurred with the TWG recommendation, declared the 2nd LCB, SBSI "Post-disqualified", and decided to proceed with the post-qualification of the 3rd LCB, LDSI;

WHEREAS, on 14 January 2020, the COBAC-C issued a Notice of Post-disqualification letter to SBSI through e-mail;

WHEREAS, on the same date, the COBAC-C issued a letter to the 3rd LCB 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 17 January 2020, SBSI filed a RfR within the prescribed period;

WHEREAS, on 20 January 2020, LDSI submitted its post-qualification documents within the prescribed period and was subsequently forwarded to the designated TWG for evaluation;

WHEREAS, on the same date, the TWG Financial and Legal Evaluators found LDSI "Responsive" and submitted their report;

WHEREAS, on 21 January 2020, the TWG-Technical Evaluator requested clarification of LDSI and submitted its report, to wit:

Particular	Findings
Detailed Specifications: <ul style="list-style-type: none">• detect both IgM and IgG including anti-Mi(a+) for the 3 cell panel antibody screen• Can detect weak D Antigen partial D• Throughput should not be less than twenty (20) samples for full ABO/ Rh blood typing (forward and reverse) and antibody screening (3 cell panel antibody screen) per hour• With single piercing mechanism for the cards or cassettes• Can be plugged at a power supply of 220-240 VAC, 60 Hz• Provision of technical support on 24 hours/7 assistance from engineer and/or product specialist. Immediate (within 8 hours upon notification) on site repair of the equipment if resolution is not possible by remote trouble shooting• Valid and current Certificate of Product Registration (CPR) issued by Philippine Food and Drug Administration (PFDA) or valid extension	<ol style="list-style-type: none">1. It was not mention that the offered item can detect anti-Mi(a+)2. It was stated on the product insert that "weak D may give a negative reaction"3. Throughput of 70 tests/hour but the test profile is not indicated4. Well by well management does not clearly start s to how it could be equivalent to single piercing mechanism5. No mention of 60 Hz6. Provided two (2 contradictory certificate for technical support7. The submitted Certificate of Product Exemption (ID Diacell I-II-III) does not correspond to the product being offered (ID Diacell I-II-III Asia)

WHEREAS, on the same date, the RfR of SBSI and TWG reports of LDSI were presented to the COBAC-C during its 3rd Regular Meeting. Upon deliberation, the Committee decided the following:

1. Forward the RfR of SBSI to TWG for review and evaluation; and
2. Concur with the TWG recommendation to clarify the TWG-Technical findings;

WHEREAS, on 22 January 2020, the COBAC-C issued a letter to SBSI through e-mail acknowledging its RfR ;

WHEREAS, on the same date, the RfR of SBSI was forwarded to the TWG for review and evaluation;

WHEREAS, on 23 January 2020, the COBAC-C issued a letter to LDSI through e-mail clarifying the above-cited TWG-Technical findings;

WHEREAS, on 24 January 2020, GBPI submitted a letter requesting to pull-out their bid proposal for IB No. 2019-267 and IB No. 2019-167-A;

WHEREAS, on 27 January 2020, the TWG Financial and Technical evaluation report on the RfR of SBSI and the response on the clarification of LDSI were received;

WHEREAS, on the same date, the COBAC-C issued an acknowledgement letter to GBPI through e-mail;

WHEREAS, on 28 January 2020, the cited report for SBSI and letter from GPBI were presented to COBAC-C during its 4th Regular Meeting. Upon review of the evaluation, the Committee made the following decision:

1. Request the TWG to re-evaluate the RfR and bid proposal of SBSI;
2. Deny the request of GBPI due to the following grounds:
 - a. The name stated in the Authority of the Signatory should be the person authorized to sign the Bid Security and Omnibus Sworn Statement; and
 - b. Pursuant to Section 23.4.1 (c) of the Revised IRR of RA 9184 stating that in order to participate in the bidding for the supply of goods, Corporation duly organized under the laws of the Philippines, and of which at least sixty percent (60%) of the outstanding capital. stock belongs to citizens of the Philippines

WHEREAS, on 29 January 2020, the TWG evaluated the response and other documents submitted by LDSI and found the 3rd LCB “Non-responsive” based on the following findings:

Particular	Findings
Detailed Specifications: <ul style="list-style-type: none">• Can detect weak D Antigen partial D• With single piercing mechanism for the cards or cassettes• Provision of technical support on 24 hours/7 assistance from engineer and/or product specialist. Immediate (within 8 hours upon notification) on site repair of the equipment if resolution is not possible by remote trouble shooting• Valid and current Certificate of Product Registration (CPR) issued by Philippine Food and Drug Administration (PFDA) or valid extension	<ol style="list-style-type: none">1. The test must detect weak D2. Submitted new document that explains well by well management and how it is equivalent to single piercing mechanism3. Submitted a modified after sales service certificate stating “8 hours” instead of 48 hours4. Provided a new certificate of exemption for registration of reagents

WHEREAS, on the same date, the TWG Technical and Financial submitted their reports on the RfR of SBSI. The TWG Financial found SBSI “Responsive” while the TWG-Technical found SBSI “non-complying” to wit:

Requirement	RfR	Findings
Provision of consumables including water requirements; complimentary reagents and solutions and cleaning agents used in equipment maintenance Finding: No mention of water requirement on the certificate submitted	The statement for compliance pertaining to water requirement in the bidding document was attached using a certificate. The water requirement in the bidding document is stated in general form.	"non-complying" due to submission of another certificate including "water" which was not indicated on the previous certificate submitted

WHEREAS, on 30 January 2020, the cited report of LDSI and TWG report on the RfR of SBSI were presented to COBAC-C. Upon review, the Committee made the following decision:

1. Concurred with the TWG recommendation and issue Post-disqualification letter to LDSI based on the above-cited TWG-Technical findings;
2. Overruled the TWG finding and declared SBSI "Responsive" to wit:

TWG Findings / Recommendation	COBAC Decision
SBSI was found "non-complying" due to submission of another certificate including "water" which was not indicated on the previous certificate submitted	The original attachment submitted by SBSI states that all needed requirements will be provided including the water requirement

WHEREAS, on 03 February 2020, the COBAC-C issued a Notice of Post-disqualification letter to LDSI through e-mail;

WHEREAS, on the same date, the COBAC-C issued a letter to SBSI through e-mail granting its RfR;

WHEREAS, on 05 February 2020, the COBAC-C issued a response letter to GBPI through e-mail denying its request;

WHEREAS, on 18 February 2020, the TWG submitted the Bid Evaluation and Post-Qualification Report citing SBSI "post-qualified" on the submitted documents by the 2nd LCB;

WHEREAS, on 26 February 2020, the COBAC-C reviewed and deliberated the TWG report as well as the documents submitted by SBSI during its 8th Regular Meeting and the following are the salient points of the deliberation:

Item No.	Description	Name of Bidder	Bidder's Rank	ABC (PhP)	Total Bid Price (PhP)	TWG		COBAC	
						Finding	Recommendation	Finding	Recommendation
1	Immunohematology ABO and RH Grouping Reagents with Antibody Screening with Machine Tie-up	SBSI	2 nd LCB	8,750,000.00	6,195,000.00	Conformed to the legal and financial requirements. However, non-compliant on the technical requirements	Non-complying	<p>▪ The COBAC overruled the recommendation of the TWG</p> <p>▪ SBSI is determined to be responsive and post-qualified and recommended for the award of contract.</p>	Lowest Calculated and Responsive Bid (LCRB)

NOW THEREFORE, in consideration of the above premises, the herein members of the COBAC-C **HEREBY RESOLVES** to recommend the award of contract to **Scientific Biotech Specialties, Inc.** determined as the Lowest Calculated and Responsive Bid with a Total Contract Price of Six Million One Hundred Ninety Five Thousand Philippine Pesos (PhP6,195,000.00) inclusive of other taxes for the item listed below:

Item No.	Description	Qty.	Unit	Total Bid Price (PhP)
1	Immunohematology ABO and RH Grouping Reagents with Antibody Screening with Machine Tie-up	35,000	test	6,195,000.00

Signed this _____ day of 1 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
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MAR 27 2020