



Republic of the Philippines
Department of Health

CENTRAL OFFICE BIDS AND AWARDS COMMITTEE

COBAC RESOLUTION NO. 2020-080-A
04 February 2020

RECOMMENDING APPROVAL OF THE AWARD OF CONTRACT FOR ITEM NO. 2 FOR THE PROCUREMENT OF KETOCONAZOLE AND ITRACONAZOLE IB NO. 2020-071

WHEREAS, an Open Competitive Bidding for the Procurement of Ketoconazole and Itraconazole was conducted in accordance with Republic Act (RA) 9184 and its 2016 Revised Implementing Rules and Regulations (IRR) through the General Appropriations Act (GAA) of 2020 with a Total Approved Budget for the Contract (ABC) of Four Million Six Hundred Seventeen Thousand Five Hundred Thirty Eight Philippine Pesos (PhP4,617,538.00):

Item No.	Particular	Quantity	Unit	Total ABC (PhP)
1	Ketoconazole	42,100	Tube	3,288,010.00
2	Itraconazole	74,400	Capsule	1,329,528.00
TOTAL				4,617,538.00

WHEREAS, on 29 August 2019, Purchase Requests (PRs) were received from Disease Prevention and Control Bureau (DPCB) – National Filariasis Elimination Program (NFEP) and National Leprosy Prevention and Control Program (NLPCP);

WHEREAS, on 17 September 2019, a Pre-procurement Conference was conducted at 10:00 AM at the COBAC Conference Room, Department of Health (DOH) to discuss the details of the procurement at hand;

WHEREAS, on the same date, the Central Office Bids and Awards Committee (COBAC) – A issued a memorandum to DPCB requesting for confirmation of the discussions/agreements during the above-cited Conference relative to the Technical Specifications;

WHEREAS, the Technical Working Group (TWG) was created through the issuance of Department Personnel Order (DPO) COBAC No. 2020-080 dated 20 September 2019;

WHEREAS, on 24 September 2019, a revised PR for Item No. 2 - Itraconazole was received from DPCB- NLPCP ;

WHEREAS, on 25 September 2019, a revised PR for Item No. 1 – Ketoconazole was received from DPCB- NFEP ;

WHEREAS, on 26 September 2019, the COBAC-A issued a memorandum that serves as a final demand was issued to DPCB-NFEP requesting for the submission of Allocation List;

WHEREAS, on 30 September 2019, Allocation List was received from DPCB-NFEP;

WHEREAS, on 02 October 2019, the revised PRs and Allocation List from DPCB-LP were presented to the Central Office Bids and Awards Committee (COBAC) –A during its 30th Regular Meeting and the Committee decided to proceed with the posting of Invitation to Bid (IB);

WHEREAS, on 04 October 2019, the Allocation List for Item No. 2 was received from DPCB-NLPCP;

WHEREAS, on 07 October 2019, the revised Allocation List for Item No. 1 was received from DPCB-NFEP;

WHEREAS, on the same date, the Allocation List was returned to DPCB-NLCP because the sum of the quantity allocated per region does not match the total quantity indicated;

WHEREAS, on 14 October 2019, the COBAC-A issued an electronic mail (e-mail) to DPCB-NLCP to follow up the submission of the revised Allocation List. However no response was received;

WHEREAS, on 21 October 2019, the COBAC-A issued another e-mail to DPCB-NLCP that serves as the final demand for the submission of the requested document;

WHEREAS, on 26 October 2019, the COBAC-A received the revised Allocation List indicating a correct sum of quantity allocation per region matching the total quantity;

WHEREAS, on 11 November 2019, the 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, Bid Bulletin No. 1, dated 19 November 2019, was issued to announce a new schedule of the Pre-bidding Conference, to wit:

Activity	Date	
	From	To
Pre-bidding Conference	19 November 2019; 10:00 A.M	20 November 2019; 10:00 A.M.

WHEREAS, on 20 November 2019, a Pre-bidding Conference took place as re-scheduled at 10:00 AM at the COBAC Conference Room, DOH, with two (2) prospective bidders attending the cited Conference, to wit:

- a. Metro Drug, Inc. (MDI); and
- b. SGS Healthcare Co. (SGSHC);

WHEREAS, on 25 November 2019, the Minutes of Meeting for the Pre-Bidding Conference was posted in the DOH website;

WHEREAS, on 03 December 2019, the Submission and Opening of Bids took place as scheduled at 9:00 A.M. at the COBAC Conference Room, DOH. Two (2) bidders purchased the bidding document and submitted their respective proposals, namely, Phil Pharmawalth, Inc. (PPI) and MDI Joint Venture (JV) with Interpharma Holdings and Management Corporation (IHMC);

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-A in the presence of the bidders' representatives. Upon examination, PPI and MDI JV with IHMC were declared "ELIGIBLE;"

WHEREAS, the second envelopes containing the Financial Proposal were individually opened, and the presence, completeness and correctness of the documents were verified by the COBAC-A. Upon examination, the two (2) "ELIGIBLE" bidders were also rated "PASSED" and subsequently their respective proposals were read out publicly and posted in the Abstract of Bids, to wit:

Name of Company			PPI	MDI JV with IHMC
Bid Security			Bid Securing Declaration (BSD)	Letter of Credit
Amount			N/A	BPL-PhP92,350.76
Validity			N/A	01 April 2020
REMARKS			ELIGIBLE AND PASSED	ELIGIBLE AND PASSED
Item No.	Item	Qty.	Unit	TOTAL ABC (PhP)
1	Ketoconazole	42,100	Tube	3,288,010.00
2	Itraconazole	74,400	Capsule	1,329,528.00
				NO BID
				3,157,500.00
				1,302,000.00

WHEREAS, PPI was declared lowest bidder as read for Item No. 1 and MDI JV with IHMC was declared single bidder as read for Item No. 2, subject to further arithmetical review and correction of the financial bid, to determine the bona fide Lowest Calculated Bidder (LCB) if necessary and post-qualification;

WHEREAS, on 04 December 2019, the financial proposals of PPI and MDI JV with IHMC were undertaken by the designated TWG-Financial Evaluator;

WHEREAS, on 10 December 2019, the TWG-Financial submitted the Abstract of Bids as Calculated, to wit:

Item No. 1 – 42,100 tubes of Ketoconazole

Bidder's Rank	Name of Company	ABC (PhP)	Bid Price as calculated (PhP)	% Variance from ABC
LCB	PPI	3,288,010.00	2,451,483.00	25.44%
2 nd LCB	MDI JV with IHMC		3,157,500.00	3.96%

Item No. 2 – 74,400 capsules of Itraconazole

Bidder's Rank	Name of Company	ABC (PhP)	Bid Price as calculated (PhP)	% Variance from ABC
Single Calculated Bid (SCB)	MDI JV with IHMC	1,329,528.00	1,302,000.00	2.07%

WHEREAS, COBAC Resolution No. 2020-080, "Recommending Approval for the Award of Contract for Item No. 1 for the Procurement of Ketoconazole and Itraconazole under IB No. 2020-071", was approved;

WHEREAS, on the same date, the Abstract of Bids as Calculated was presented to the COBAC-A during its 8th Regular Meeting and upon deliberation, the Committee decided to proceed with the Post-qualification of the SCB for Item No. 2, namely MDI JV with IHMC;

WHEREAS, on the same date, the COBAC-A issued a letter through facsimile to MDI JV with IHMC 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 16 December 2019, MDI JV with IHMC submitted the Post-qualification documents which was considered within the prescribed timeline wherein if the deadline for an activity falls on a non-working day (i.e Saturday and Sunday), then the submission will be the next working day pursuant to Section 38.2 of 2016 IRR of RA 9184 and was subsequently endorsed to the TWG for evaluation;

WHEREAS, on the same date, 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 23 December 2019, the TWG, upon evaluation, found that the supporting documents attached in the Statement of Single Largest Completed Contract (SLCC) form indicates the name of contract of "Drugs and Medicines" while the Notice of Award attached as the supporting document indicates the project name "Procurement of Sofosbuvir, 500mg Tablet", and submitted its report;

WHEREAS, on 27 December 2019, the Regular COBAC-A Meeting was re-scheduled due to lack of quorum;

WHEREAS, on the same date, the COBAC-A requested the Head of the Procuring Entity (HOPE) through its Undersecretary of Health of Public Health Sectoral Team (PHST) for the extension of post-qualification evaluation, in accordance with Section 34.8 of the RA 9184 and its 2016 IRR, and was subsequently approved;

WHEREAS, on 07 January 2020, the above-cited report was presented to the COBAC-A during its 10th COBAC-A Regular Meeting. Upon review and deliberation, the Committee concurred with the TWG-Legal finding and decided to issue a letter requesting for clarification;

WHEREAS, on 13 January 2020, the COBAC-A issued a letter to MDI JV with IHMC through electronic mail (e-mail) requesting for clarification relative to the above cited findings;

WHEREAS, on 16 January 2020, the COBAC-A received the response from MDI JV with IHMC through e-mail;

WHEREAS, on 21 January 2020, the COBAC-A received the original document as response of MDI JV with IHMC indicating that the correct name of the contract is “Procurement of Sofosbuvir, 500mg Tablet”;

WHEREAS, on 21 January 2020, the cited document was presented to the COBAC-A during its 12th COBAC-A Regular Meeting and upon deliberation the Committee decided to forward the response of the SCB to the TWG-Legal for further review and evaluation;

WHEREAS, on the same date, the response of MDI JV with IHMC was forwarded to the TWG for further review and evaluation;

WHEREAS, on 24 January 2020, the TWG-Legal found MDI JV with IHMC “responsive”, and submitted its report

WHEREAS, on 04 February 2020, the cited TWG report was presented to the COBAC-A during its 14th COBAC-A Regular Meeting and upon deliberation the Committee declared “post-qualified”;

WHEREAS, on the same date, the TWG submitted the Bid Evaluation and Post-Qualification Evaluation Report (BEPQER) citing MDI JV with IHMC “responsive” to all the requirements and conditions specified in the bidding documents;

WHEREAS, on the same date, the BEPQER were presented to the COBAC-A during its 14th Regular Meeting. 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:

Item No.	Description	Name of Bidder	Bidder's Rank	ABC (PnP)	Bid Price (PnP)	TWG		COBAC	
						Findings	Recommendation	Findings	Recommendation
2	Itraconazole	MDI JV with IHMC	SCB	1,329,528.00	1,302,000.00	The SCB passed the post-qualification and found to have complied with the legal, technical and financial requirements.	Responsive	<ul style="list-style-type: none"> •The COBAC-A conforms with the recommendation of TWG. •MDI JV with IHMC 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 Motion for reconsideration, no pending protest and the COBAC-A followed the requirements set forth in RA 9184;

NOW THEREFORE, on the basis of the above, the herein members of the COBAC-A HEREBY RESOLVES, to recommend the award of contract to **Metro Drug, Inc. Joint Venture with Interpharma Holdings and Management Corporation (MDI JV with IHMC)** as determined to be the Single Calculated Responsive Bid with a Total Contract Price of One Million Three Hundred Two Thousand Philippine Pesos (PhP1,302,000.00) inclusive of other taxes for the item listed below:

Item No.	Particular	Quantity	Unit	Total Bid Price (PhP)
2	Itraconazole	74,400	Capsule	1,302,000.00

FEB 24 2020

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

CENTRAL OFFICE BIDS AND AWARDS COMMITTEE (COBAC) – A

Intgated

MARIA SOLEDAD Q. ANTONIO, MD, PhD, MPH, DPAPP, CESE
Regular Member

ALELI ANNIE GRACEY P. SODIA CAL, MD, MPH, CESE
Regular Member

Manila

LEONITA P. GORGOLON, MD, MHA, MCHM, CEO VI
Regular Member

MAR WYN C. BELLO, MD, MPA
Vice-Chairperson

la

NESTOR F. SANTIAGO, JR., MD, MPH, MCHSA, CESO III
Assistant Secretary of Health
Chairperson

2/11/20

By Authority of the Secretary of Health:

Law

MAR 17 2020

NAPOLEON L. AREVALO, MD, MPH, CESO IV
Director IV
Disease Prevention and Control Bureau