Republic of the Philippines
Department of Health

CENTRAL OFFICE BIDS AND AWARDS COMMITTEE

BID BULLETIN NO. 2
19 December 2023

PROCUREMENT OF GLASS IONOMER
IB NO. 2024-139

This Bid Bulletin is being issued to announce the new schedule of the Submission and Opening of Bids, to respond to the queries during the Pre-Bidding Conference, to respond to the letter of the Prospective Bidder (PB), and to amend or modify the bidding documents posted on the PhilGEPS and DOH websites for the above-cited procurement project. This Bid Bulletin shall form an integral part of the bidding document. Listed below are the corresponding modifications/changes:

1. New Schedule of the Submission and Opening of Bids

From	To	Venue
18 December 2023; 9:00 AM	**27 December 2023; 9:00 AM**	COBAC Conference Room, Ground Floor, Bldg. 6,Department of Health, San Lazaro Compound, Sta. Cruz, Manila, and/or through videoconferencing or webcasting via Cisco Webex

2. Query during the Pre-Bidding Conference

Requirement	Query	Response
Delivered, Calendar Days: One Hundred Twenty (120) calendar days upon receipt of the approved Notice to Proceed (NTP).	A PB, EEA Enterprise (EEAE) suggested to amend the delivery schedule from 120 calendar days to 150 calendar days.	Granted, refer to changes.
Item No. 2 Glass Ionomer for Atraumatic Restorative Treatment 7. Material must exhibit Good Compressive Strength of 265 MPa after 1 week	A PB, Surgicom Trading Corporation (STC) suggested to range the requirement to "260-265 MPa". Since the requirement is too specific and pointing out one (1) brand. Less than 5MPa is not critical since 260MPa is acceptable in international standards. The specification will limit the bidders who can join the bidding since most of the brand in the market is 260MPa.	Request is acceptable. The comprehensive strength requirement shall be revised to at least 260MPa. However, bidders **must** substantiate their claims with three (3) independent studies from globally recognized dental journals, each with an impact score of at least 3.0, affirming the good comprehensive strength of their product. Refer to changes.
Item No. 2 Glass Ionomer for Atraumatic Restorative Treatment 8. Must be tooth-colored	A PB, STC is seeking clarification what does it mean by tooth-colored since the color of the tooth varies on different conditions and different individuals.	As discussed during the Pre-bidding, in terms of the necessary tooth-colored shade, although there are many shades available in the market, A3 is widely

Requirement	Query	Response
		recognized as the universal shade. Variations once shade lighter or darker than A3 are deemed suitable. Consequently, shades A2, A3, and A.3.5 are the only acceptable options for the teeth's occlusal and cervical surfaces.

3. Letter from the bidder

PB	Requirement	Query	EUU's Response
STC	Item No. 2 Glass Ionomer for Atraumatic Restorative Treatment 7. Material must exhibit Good Compressive Strength of 265 MPa after 1 week	Glass ionomer materials are technique sensitive and with so many studies found in the internet the result varies so much, according to MDPI, a scientific journal founded in Basel Switzerland in 1966, in an article "Enhancing the Mechanical Properties of Glass Ionomer Dental cements: A review (page 3): "It is difficult to compare these classed of materials, because the relevant international standards specify different strengths. Conventional glass ionomers are tested for comprehensive strength and have a minimum requirement of 100 MPa for restorative use in patients. In ISO 9917-1-2007 (page 6), the requirements for dental cements for glass ionomer restorative is *only 100MPa comprehensive strength*. In comparison to this international standard, setting 265MPa as minimum comprehensive strength is not only excessive, it is **arbitrary and biased.** There is only one company that produces at 265 MPa, as the ISO standard is less than half of the said MPa. To arbitrarily set the minimum MPa to favor only one company is to **deliberately rig the bidding in that company's favor,** which is a clear violation of the declared policy behind public bidding. In this particular product case, to open up this bidding to all the possible brands available in Philippine market, a minimum	Request is acceptable. The comprehensive strength requirement shall be revised to at least 260MPa. However, bidders **must** substantiate their claims with three (3) independent studies from globally recognized dental journals, each with an impact score of at least 3.0, affirming the good comprehensive strength of their product. Refer to changes.

PB	Requirement	Query	EUU's Response
		requirement of 250MPa is already way above ISO standard and competitive enough for all possible brands/bidders. (Table 3 published by PubMed Central: ISO requirements for clinical grade glass ionomer cements) Section 3(b) of both R.A. 9184 and its IRR explicitly state that government procurement shall be governed by the principle of **"[c]ompetitiveness** by extending equal opportunity to enable private contracting parties who are eligible and qualified to participate in public bidding." The three principles of public bidding are: (1) to offer to the public; (2) **an opportunity for competition**; and (3) a basis for the exact comparison of bids. By its very nature, public bidding aims to protect public interest by giving the public the best possible advantages through open competition. Competition requires not only bidding upon a common standard, a common basis, upon the same thing, the same subject matter, and the same undertaking, but also that it be legitimate, fair and honest and not designed to injure or defraud the government. The essence of competition in public bidding is that the bidders are **placed on equal footing** which means that all qualified bidders have an equal chance of winning the auction through their bids. Another self-evident purpose of public bidding is to **avoid or preclude suspicion of favoritism and anomalies in the execution of public contracts. (**Capallam et al v. COMELEC, G.R. No. 201112, June 13, 2012).	
	Item No. 2 Glass Ionomer for Atraumatic Restorative Treatment 8. Must be tooth-colored	We clarified what does it mean by tooth-colored since the color of the tooth varies on different conditions and different individuals. Are there specific tooth-colored shades that the end-users require?	As discussed during the Pre-bidding, in terms of the necessary tooth-colored shade, although there are many shades available in the market, A3 is widely recognized

PB	Requirement	Query	EUU's Response
		The end-user answered that any tooth-colored/shade material (eg. A2, A3, A3.5) will be acceptable but should not be dark shades. So it means that if it turns black it will not be acceptable. However, yellowish, graying, off whitish are considered tooth colored as these considered colors of natural tooth.	as the universal shade. Variations once shade lighter or darker than A3 are deemed suitable. Consequently, shades A2, A3, and A.3.5 are the only acceptable options for the teeth's occlusal and cervical surfaces.

The revised Schedule of Requirements, Technical Specifications Forms and Checklist of Technical and Financial Documents are enclosed for the Prospective Bidder's reference and use.

All other provisions indicated in the bidding documents which are not affected shall remain in force and in effect.

For guidance and information of all concerned.

KENNETH G. RONQUILLO, MD, MPHM, CESO III
Undersecretary of Health
COBAC-E, Chairperson

Section VI. Schedule of Requirements

The delivery schedule expressed as calendar days stipulates hereafter a delivery date which is the date of delivery to the project site.

Item No.	Description	Quantity/ Unit	Total ABC (PhP)	Delivery Site	Delivered, Calendar Days
1	Glass Ionomer Sealant	7,600 kits	49,316,400.00	Department of Health (DOH) warehouse/s in Metro Manila	**One Hundred Fifty (150)** Calendar Days upon receipt of approved Notice to Proceed (NTP).
2	Glass Ionomer for Atraumatic Restorative Treatment	7,600 kits	25,801,088.00		

_____
Signature over Printed Name
[date of signing]

In the capacity of: *[title or other appropriate designation]*
Duly authorized to sign bid for and on behalf of: *[Name of Company]*
[Complete office address]
[Contact No.]
[Fax No.]
[Email Address]

Technical Specifications

Republic of the Philippines Department of Health TECHNICAL SPECIFICATIONS			
Item No. 2	**Glass Ionomer for Atraumatic Restorative Treatment**	Quantity / Unit	**7,600 kits**
Name of Manufacturer:		Country of Origin:	
Brand:			
Total ABC for Item No. 2: **PhP25,801,088.00**			
PURCHASER'S SPECIFICATION		**STATEMENT OF COMPLIANCE**	
A. Detailed Technical Specification Each kit should include the following items: 1. One (1) bottle of Glass Ionomer Powder, 13-15grams 2. One (1) bottle of Glass Ionomer Liquid, 8-10 grams/ml 3. One (1) tube 10g of cocoa butter, or five (5) tubes 2g of cocoa butter 4. One (1) disposable mixing pad (60-100 leaves) (at least 3.0"W x 2.5"L) 5. One (1) plastic scoop (at least 6cm L) with imprinted/indicated ratio of Powder/Liquid as to usage. 6. Two (2) plastic spatula (at least 14 cm L, at least 1 cm W, at least 0.4 mm with a tapering end of at least 0.1 mm T) Note: Items 1-6 must be of the original manufacturer's packaging and of the same manufacturer to ensure its compatibility. 7. Material must exhibit Good Compressive Strength of ***at least 260 MPa*** after 1 week. 8. Must be tooth-colored 9. Instructional guide/manual			

B. <u>Additional Requirements to be attached to Technical Specifications form arranged, numbered and tabbed as enumerated below:</u>

1. Valid Certificate of Product Registration (CPR) issued by Philippine Food and Drugs Administration (PFDA) - **For Glass Ionomer powder and liquid**;

2. Valid and current License to Operate (LTO) as Medical Device Importer/ Wholesaler issued by PFDA;

3. Original brochure or downloaded from the internet or product insert and other manufacturer's un-amended sales literature, unconditional statements of specification and compliance issued by the manufacturer, samples, independent test data etc., as appropriate for cross-referencing statement of compliance to the technical specification in accordance to what is indicated in 2nd page of Section VII. Technical Specifications of the Bidding Documents;

Republic of the Philippines Department of Health TECHNICAL SPECIFICATIONS			
Item No. 2	**Glass Ionomer for Atraumatic Restorative Treatment**	Quantity / Unit	**7,600 kits**
Name of Manufacturer:		Country of Origin:	
Brand:			
Total ABC for Item No. 2: **PhP25,801,088.00**			
PURCHASER'S SPECIFICATION		**STATEMENT OF COMPLIANCE**	

4. The bidder shall submit any of the following whichever is applicable:
   a. If the bidder is a manufacturer, certificate that the bidder manufactures the products/item; or
   b. If the bidder is an Exclusive/Authorized Distributor or Dealer of the products/items, a Certificate or Contract from the manufacturer must be provided as proof that the bidder is an Exclusive/Authorized Distributor or Dealer of the products/items; or
   c. If the bidder is an agent of the exclusive distributor or dealer, the following must be provided:
      i. Certificate or Distributor/Dealership Agreement by the Manufacturer with the distributor or dealer; and
      ii. Certificate or Contract/Dealership Agreement between the distributor/dealer and the bidder.

5. Valid and Current Declaration of Conformity with appropriate ISO/IEC/PNS standard issued to the manufacturer by an ISO Certifying body or any appropriate agency or body;

6. **Three (3) independent studies from globally recognized dental journals, each with an impact score of at least 3.0, affirming the good comprehensive strength of at least 260 MPa after 1 week of their product to substantiate the claims;**

7. Sworn Statement using the prescribed form.

C. Additional requirements to be submitted by the Single/Lowest Calculated Bid (S/LCB)

- One (1) original sample/kit of the manufacturer's product to be submitted and returned after evaluation. The sample submitted and approved during the evaluation shall be the same item to be delivered upon award of contract. Prototype of the labeling instruction must be part of the sample submitted however, the technical specifications of the labeling instruction of the product must be complied upon delivery.

D. Upon delivery the following shall be complied with:

1. **Shelf life:** Must be fresh commercial stocks with a total shelf life of twenty-four (24) months from the date of manufacture but not less than eighteen (18) months from the date of delivery. **For Cocoa Butter, Glass Ionomer powder, and liquid**

2. **Packaging instructions:** Standard original packaging of the manufacturer for each kit.

   Note: All items must be of the original packaging and of the same manufacturer to ensure its compatibility.

3. **Labeling instructions:**

   a. On each kit, the following shall be imprinted or stickered with non-removable or permanent sticker or label that is binding and with residue and tearing if removed:

Republic of the Philippines Department of Health TECHNICAL SPECIFICATIONS			
Item No. 2	**Glass Ionomer for Atraumatic Restorative Treatment**	Quantity / Unit	**7,600 kits**
Name of Manufacturer:		Country of Origin:	
Brand:			
Total ABC for Item No. 2: **PhP25,801,088.00**			
PURCHASER'S SPECIFICATION		**STATEMENT OF COMPLIANCE**	

"Philippine Government Property – Department of Health
NOT FOR SALE"
Date of Manufacture: ____
Date of Expiry: _____
Batch/Lot No.: _____

b. On each bigger box/corrugated carton, the following should be imprinted or stickered with non-removable or permanent sticker or label that is binding and with residue and tearing if removed:

"Philippine Government Property – Department of Health
NOT FOR SALE"
Date of Manufacture: ____
Date of Expiry: _____
Batch/Lot No.: _____

Note: In case of multiple expiration, date of the items in the kit, the date of expiry must be itemized accordingly.

On each cocoa butter tube, indicate:
Batch/Lot No.: _____

E. Product Recall & Disposal:

1. The Supplier must ensure the quality of products and if there will be problems in the quality, the Supplier will recall and replace the products distributed in the regions/hospitals/treatment hubs/RHU/HC/BHSS based on Guidelines on Product Recall, FDA Circular No. 2016-012;
2. In instances of product recalls due to failures of suppliers and manufacturers to comply with standards of safety and quality, the cost associated with proper disposal/ destruction, handling or pull out from health facilities where these products have already been distributed shall be borne by the supplier (subject to the latest policy for disposal) (DOH Administrative Order(AO) No. 2019-0041);

_____
Signature over Printed Name
[date of signing]
In the capacity of: *[title or other appropriate designation]*
Duly authorized to sign bid for and on behalf of: *[Name of Company]*
[Complete office address]
[Contact No.]
[Fax No.]
[Email Address]

Checklist of Technical and Financial Documents Arranged numbered and tabbed as it appears below:

I. TECHNICAL COMPONENT ENVELOPE

Class "A" Documents

Legal Documents

☐ (a) Valid PhilGEPS Registration Certificate (Platinum Membership) (all pages) in accordance with Section 8.5.2 of the 2016 Revised IRR of RA No. 9184;

Technical Documents

☐ (b) Statement of the prospective bidder of all its ongoing government and private contracts, including contracts awarded but not yet started, if any, whether similar or not similar in nature and complexity to the contract to be bid; **and**

☐ (c) Statement of the bidder's Single Largest Completed Contract (SLCC) similar to the contract to be bid *equivalent to at least twenty-five percent (25%) of the ABC*, except under conditions provided for in Sections 23.4.1.3 and 23.4.2.4 of the 2016 revised IRR of RA No. 9184, within the relevant period as provided in the Bidding Documents; **and**

☐ (d) Original copy of Bid Security. If in the form of a Surety Bond, submit also a certification issued by the Insurance Commission;

or

Original copy of Notarized Bid Securing Declaration; **and**

☐ (e) Conformity with the Schedule of Requirements and Technical Specifications, which may include production/delivery schedule, manpower requirements, and/or after- sales/parts, if applicable; **and**

☐ (f) Original duly signed Omnibus Sworn Statement (OSS);

and if applicable, Original Notarized Secretary's Certificate in case of a corporation, partnership, or cooperative; or Original Special Power of Attorney of all members of the joint venture giving full power and authority to its officer to sign the OSS and do acts to represent the Bidder.

Financial Documents

☐ (g) The prospective bidder's computation of Net Financial Contracting Capacity (NFCC);

or

A committed Line of Credit from a Universal or Commercial Bank in lieu of its NFCC computation.

Class "B" Document

☐ (h) If applicable, a duly signed joint venture agreement (JVA) in case the joint venture is already in existence;
or

duly notarized statements from all the potential joint venture partners stating that they will enter into and abide by the provisions of the JVA in the instance that the bid is successful.

Other documentary requirements under RA No. 9184 (as applicable)

☐ (i) *[For foreign bidders claiming by reason of their country's extension of reciprocal rights to Filipinos]* Certification from the relevant government office of their country stating that Filipinos are allowed to participate in government procurement activities for the same item or product.

☐ (j) Certification from the DTI if the Bidder claims preference as a Domestic Bidder or Domestic Entity.

II. FINANCIAL COMPONENT ENVELOPE

☐ (a) Original of duly signed and accomplished Financial Bid Form; **and**

☐ (b) Original of duly signed and accomplished Price Schedule(s).

III. ADDITIONAL DOCUMENTARY REQUIREMENTS TO BE ATTACHED IN THE TECHINICAL SPECIFICATIONS FORM:

☐ (a) Valid Certificate of Product Registration (CPR) issued by Philippine Food and Drugs Administration (PFDA) - For Dentin Conditioner, Glass Ionomer powder and liquid; **(for item No. 1 – Glass Ionomer Sealant)**

Valid Certificate of Product Registration (CPR) issued by Philippine Food and Drugs Administration (PFDA) - For Glass Ionomer powder and liquid; **(for item No. 2 – Glass Ionomer for Atraumatic Restorative Treatment)**

☐(b) Valid and current License to Operate (LTO) as Medical Device Importer/ Wholesaler issued by PFDA;

☐ (c) Original brochure or downloaded from the internet or product insert and other manufacturer's un-amended sales literature, unconditional statements of specification and compliance issued by the manufacturer, samples, independent test data etc., as appropriate for cross-referencing statement of compliance to the technical specification in accordance to what is indicated in 2nd page of Section VII. Technical Specifications of the Bidding Documents;

☐ (d) The bidder shall submit any of the following whichever is applicable:

a) If the bidder is a manufacturer, certificate that the bidder manufactures the products/item; or

b) If the bidder is an Exclusive/Authorized Distributor or Dealer of the products/items, Certificate or Contract from the manufacturer or importer

must be provided as proof that the bidder is an Exclusive/Authorized Distributor or Dealer of the products/items; or

c) If the bidder is an agent of the exclusive distributor or dealer, the following must be provided:
   i. Certificate or Distributor/Dealership Agreement by the Manufacturer with the distributor or dealer; and
   ii. Certificate or Contract/Dealership Agreement between the distributor/dealer and the bidder.

☐ (e) Valid and Current Declaration of Conformity with appropriate ISO/IEC/PNS standard issued to the manufacturer by an ISO Certifying body or any appropriate agency or body;

☐ **(f)** **Three (3) independent studies from globally recognized dental journals, each with an impact score of at least 3.0, affirming the good comprehensive strength of at least 260 MPa after 1 week of their product to substantiate the claims; (For Item No. 2 only)**

☐ **(g)** Sworn Statement using the prescribed form.

Note:

1) Please refer to https://doh.gov.ph/sites/default/files/basic-page/COBAC-Sample-Forms.pdf for the following requirements:

   a) Sworn Statement;
   b) Computation of NFCC;
   c) Manufacturer's Authorization;
   d) Authorization from the Main Distributor of the Manufacturer
   e) Secretary's Certificate;
   f) Special Power of Attorney;
   g) Statement of Ongoing Contracts; and
   h) Statement of SLCC.

2) For the following requirements, please refer to **GPPB Resolution No. 16-2020:**

   a) Bid Form;
   b) Price Schedule;
   c) Bid Securing Declaration; and
   d) Omnibus Sworn Statement