

PHILIPPINE HEART CENTER
East Avenue, Quezon City

Regular BAC Meeting and Opening of Bids
February 11, 2020, 9:00am, BAC Office

BAC Meeting:009.2020)

1. Attendance:

The meeting was participated by members of the BAC, TWG and its Secretariat as follows:

Chairman	: Marietta A. Velasco, RN, MAN	TWG Members
Vice-Chairman	: Antonio D. Pascual, MD	Chairman: Susan M. Umali, RN
Members	: Alvin Rey P. de Leon – on leave	Vice Chairman: Marissa Sarmiento-absent
	Ma. Nerissa A. Remojo, CPA	Members: Engr Dionisio Eoy
	Pedro P. San Diego, Jr., MD – on leave	Marcial Magleo
	Ma. Flordeliza M. Sanchez	Emerlee Roncales
	Aileen C. Senga	
		Secretariat: Jeanette Z. Burillo
		Rachelle Cortez

2. Call to Order

2.1. The meeting was called to order at 9:25am, presided by the Chairman, Marietta A. Velasco, RN, MAN. She recognized the presence of the members of the BAC, TWG, Secretariat.

2.2. Ms. Velasco announced the 3 Projects with no prospective bidders; i.e. (1) **1 Unit Platelet Agitator with Incubator**; (2) **2 Units Pediatric Bed with Complete Set**; (3) **35 Units Wheel Chair**. She also declared the BAC's decision to write the End-user to review the Technical Specifications. This is the 2nd failed bid. Option is for negotiation – with reference to Section 51.1 IRR of RA 9184; *Two Failed Biddings. Where there has been failure of competitive bidding or Limited Source Bidding for the second time as provided in Section 35 of the Act and this IRR. (a)*

3. Agenda:

3.1. Opening of Bids

Project Title	Eligibility & Technical Envelope	Financial Envelope (Bid Offer)
1. 35 Units Wheel Chair End-user: NSO ABC = P 1,565,000.00	No prospective bidders bought the bidding documents	-
2. 8 units Medication Cart End-user: NSO/Jane Ongpauco ABC = 4M	> Certifications and permits ✓ > Brochure ✓ > Items IV-VII c/o TWG all complied > PASSED	> P3,904,000.00 > Warranty: 2 years > PASSED
1. Biomedica Healthcare, Inc. – Eduardo Giron		
3. 2 Units Pediatric Bed with Complete Set End-user: NSO ABC = P1.2M	No prospective bidders bought the bidding documents	-
4. 6 Units Pulse Generator End-user: OR/Edgard Mendoza ABC = P 2.1M	> Certifications and permits ✓ > Model: Medtronic 5B92 dual chamber Brochure ✓ > Delivery Period: 30 calendar days > PASSED	> P2,100,000.00 > Warranty: 5 years in parts and services > PASSED > Subject to detailed bid evaluation
1. Globo Asiatico Enterprises, Inc.		
5. 1 Unit Platelet Agitator with Incubator	No prospective bidders bought the	-

End-user: Division of Blood Bank ABC = P1M	bidding documents	
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3.2. Negotiated Procurement – 2 Failed Bid Projects

Project Title	Eligibility & Technical Envelope	Financial Envelope (Bid Offer)
1. 70 Units Sofa Bed End-user: NSO/Jane Ongpauco ABC = P 1,050,000.00	> Certifications and permits ✓ > Brochure not available, but was considered due to the plan of customizing the sofa bed according to the room's structure > PASSED	> P1,038,000.00 > PASSED
1. International Pecan Disty		
2. 15 Units Cardiac Chair End-user: NSO ABC = 1,170,000.00	> Certifications and permits ✓ > Brochure ✓ > Items IV-VII c/o TWG all complied > PASSED	> P1,075,000.00 > PASSED > Ms. Velasco requested to lower the price. Mr. Chavez called up the Manager and approved for a 10% less from the original price. > New cost: P967,680.00 > Mr. Chavez countersigned the new price
1. Prime Essential – Roderick Chavez		

4. Other matters:

4.1 Letters for Motion for Reconsideration (MR) of the following participating bidder/s:

4.1.1. Variance Trading Corporation relative to the Project: 1 Lot Cardiac Monitoring System specifically on the Defibrillator Machine dated February 10, 2020 – Ms. Velasco briefed the group of the history of the Project. She stated that Variance was the 5th in ranking for the LCB. The first MR was also read as stated: "Capnography: at least less than 10 seconds warm up time: capable for intubated and non-intubated patients".

Ms. Senga mentioned that the DOH and the Ombudsman were furnished in copies of the said MR. Ms. Burillo also stated that the reply to the 1st MR was already sent dated 05 February 2020. Prior to the reply, BAC Secretariat sought consult to Atty. Manalang if to also copy furnished the DOH and Ombudsman, her reply is hereby quoted: there is no need for the DOH and the Ombudsman to be furnish with the reply. BAC also reviewed content of the response to the 1st MR and was validated by the TWG.

With the 2nd MR which are stated below, Variance's ground for reconsideration dated 10 February 2020, BAC Secretariat replied on 11 February 2020 with reference to BAC.Ref.046.20.

1. That Technomed is non-compliant on the specification of *Defibrillator "warm up time: capable for intubated and non-intubated patients"*. –responded via reply to 1st MR.
2. That Technomed issued a self-serving Certification – during the Post Qualification with actual demonstration, a duly notarized Certifications on item/s not found in the brochure were provided, was checked and validated by the BAC, TWG and the End-user.
3. Color coded 3-6 ECG cable – Ms. Umali (TWG Chairman) seen and validated that it is still within range from 3,5, and 12 cables of and that 12 is more complete.
4. That Technomed neither participated on 2 procurement activities – it is of the discretion of the Prospective Supplier or Company to join or participate to any particular/chosen Project.

At around 11am, as per Ms. Velasco's instruction that the MR will be referred to Legal Office and to the OGCC, BAC Secretariat texted Atty. Hannah Abalos of the OGCC. A call was made thus Ms. Velasco briefed Atty. Abalos of the concern with Variance' MR, she suggested that all pertinent documents shall be forwarded to their office (OGCC) so they can study the document very well and come up with a more concrete decision or advise.

Ms. Velasco also asked Atty. Abalos if there is a need to copy furnished the DOH and the Ombudsman to its BAC replies, Atty. Abalos replied that it is not a requirement but can be done.

Another question was raised by Ms. Velasco with regards to MRs sent one after another either from Variance or from other Supplier/s, Atty. Abalos response was and to quote: it is rightful to reply to MRs regardless if a Supplier continually resort to MRs.

4.2. Health Solutions, Inc. on the Project, re: 1 Unit Difficult Airway, 220V – Post Qualification process was initially scheduled on January 3, 2020. No representative from Health Solutions, Inc. showed up. Later, Ms. Chona introduced herself as the new representative of Health Solutions, Inc. since the latter representative had already resigned.

BAC Secretariat rescheduled the Post Qualification on February 7, 2020. The representative came at 9:30am and informed BAC Secretariat that she is still waiting for few documents to arrive. BAC Secretariat informed her that the TWG will be coming exactly 10am, TWG came at 10:15am and waited until 11:45am (for the record).

- With the given delays made by Health Solutions, Inc. Ms. Velasco asked the consensus of the BAC if to provide another extension – all present decided and voted: NO EXTENSION.
- This was referred to Atty. Abalos as well during the phone conversation with Ms. Velasco. Atty. Abalos suggested to still pursue the proceeding but to inform the Supplier in writing of his/her negligence to comply on specified dates. Ms. Velasco also reiterated to state PROFESSIONALISM in the conduct of transaction in the communication for Health Solutions, Inc.

4.3. FELEA Biomed Enterprises – sole bidder for the Project, re: 1 Unit Brand New Ambulance.

- Ongoing detailed evaluation on the accessories of the Medical Ambulance. TWG to submit report on their findings.

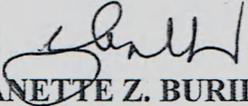
4.4. NOA issued to Oxford Distributions, Inc. was already signed by the signatory. BAC issued an amended NOA dated January 28, 2020 relative to the item – Human Albumin (c/o TWG) –

- Ms. Roncales informed/updated the BAC regarding the amendment done on the list specifically for the 20% Human Albumin. According to Ms. Roncales, Ms. Viena found that the item Human Albumin is already included in the Formulary. Ms. Cortez further stated that GB Distributors also has the same item. NOA was issued Oxford and later provided with an amended NOA removing the 205 Human Albumin, while GB Distributors provided with a NOA including the 20% Human Albumin. Oxford did not accept the amended NOA. Ms. Velasco and Dr. Pascual stated that the process of amendment without informing the BAC is incorrect.
- This was also referred to Atty. Hannah Abalos. Ms. Velasco likewise briefed her regarding the amendment and NOA. Atty. Abalos requested to forward pertinent documents to their office for their review. Further, Ms. Velasco and Dr. Pascual instructed Ms. Roncales to prepare an Incident Report regarding this matter as well as the BAC Secretariat for allowing Ms. Roncales to do the amendment and advised everyone to be mindful of every procurement process. It was decided by

- the group to PARTIALLY CANCEL THE ALBUMIN PROJECT, and she again reiterated to everyone that in every discovery or changes to be made, should be consulted to BAC first before doing any action.

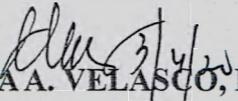
5. Meeting adjourned at 12:05nn.

Prepared by:



JEANETTE Z. BURILLO, RL
Chairman, BAC Secretariat

Approved by:



MARIETTA A. VELASCO, RN, MAN
Chairman, BAC for Pharma Supplies & Med Equipment