

Republic of the Philippines
PUBLIC ATTORNEY'S OFFICE

Tanggapan ng Manananggol Pambayan
DOJ Agencies Building, NIA Road corner East Avenue, 1104 Quezon City
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PAO BIDS AND AWARDS COMMITTEE (PBAC)

EXCERPTS FROM THE MINUTES OF THE MEETING OF THE PAO BIDS AND AWARDS COMMITTEE (PBAC) DATED 07 NOVEMBER 2023 **RE: CONSIDERATION OF THE POST-QUALIFICATION REPORT ON THE SINGLE CALCULATED AND RESPONSIVE BID IN THE PROCUREMENT OF SUPPLY AND DELIVERY OF DRINKING WATER FOR THE PAO – CENTRAL OFFICE FOR C.Y. 2024 AS SPECIFIED UNDER PURCHASE REQUESTS NO. 681-08-2023**, HELD AT THE PAO CENTRAL OFFICE, LIBRARY AND VIA ZOOM VIDEO CALL

RESOLUTION

RECOMMENDING THE AWARD OF CONTRACT TO NEWARK SPRING WATER CORP., AS THE SINGLE CALCULATED AND RESPONSIVE BIDDER, IN THE PROCUREMENT OF SUPPLY AND DELIVERY OF DRINKING WATER AS SPECIFIED UNDER PURCHASE REQUEST NO. 681-08-2023 FOR THE PAO-CENTRAL OFFICE FOR C.Y. 2024

WHEREAS, the Public Attorney's Office (PAO) is committed to adhere to the State's Policy of securing and maintaining the trust and confidence of every Filipino, by upholding transparency, good governance and anti-corruption measures;

WHEREAS, this committee previously resolved last 26 October 2023 to declare the submitted bid of NEWARK as the Single Calculated Bid for the subject procurement with a bid price in the amount of Two Hundred Ninety-Six Thousand Three Hundred Thirty-One Pesos and Seventy-Five Centavos (Php. 296,331.75) from an ABC of Three Hundred Fifty-One Thousand Pesos (Php. 351,000.00), and to direct the PBAC technical working group to verify the authenticity and validity of the bid documents submitted by the bidder for purposes of post-qualification and report their findings to the PBAC.

WHEREAS, the PBAC-Technical Working Group (TWG) submitted their report¹ wherein they confirm the completeness, validity and authenticity of the documentary requirements submitted by the bidder and recommend the award of contract to the said bidder;

WHEREAS, after this committee's review of the authenticity and completeness of the eligibility and documentary requirements of the submitted bid by the bidder, as supported by the findings and post-qualification report of the PBAC-TWG, BAC Member Atty. Ronald R. Macorol moved to recommend the award of contract to NEWARK for the subject procurement, duly seconded by BAC Member Dir. Marilyn Boongaling;

¹ PAO-TWG Post-Qualification Report

NOW THEREFORE, WE, the Members of the PAO Bids and Awards Committee (PBAC), by virtue of the powers vested on Us by Law, after duly considering the recommendations of the Technical Working Group (TWG), and all members here present, **hereby resolve to RECOMMEND THE AWARD OF CONTRACT TO NEWARK SPRING WATER CORP. (NEWARK), AS THE SINGLE CALCULATED AND RESPONSIVE BIDDER, IN THE PROCUREMENT OF SUPPLY AND DELIVERY OF DRINKING WATER AS SPECIFIED UNDER PURCHASE REQUEST NO. 681-08-2023 FOR THE PUBLIC ATTORNEY'S OFFICE – CENTRAL OFFICE FOR C.Y. 2024, SUBJECT TO POSTING OF PERFORMANCE SECURITY IN ACCORDANCE WITH THE PROVISIONS OF SECTION 39 OF THE 2016 REVISED IMPLEMENTING RULES AND REGULATIONS OF R.A. NO. 9184.**

APPROVED this 7th day of November 2023 at the Public Attorney's Office (PAO) Central Office, 5th Floor DOJ Agencies Building, NIA Road corner East Avenue, Diliman, (1104) Quezon City, Philippines thru Zoom Video Conference.

ATTY. JAN STEVEN S. DUNUAN
Chairperson, PBAC
Public Attorney V
Regional Public Attorney
PAO-III

ATTY. ALEM-EMAN CHISUM L. ABEYA
Public Attorney III
Member, PBAC
Executive Support Staff

ATTY. RONALD JEROME P. NIEVES
Vice-Chairperson, PBAC
Public Attorney IV
Officer-In-Charge
Legal Research Service

(On Official Business)
ATTY. RIGEL A. SALVADOR
Public Attorney IV
Member, PBAC
Officer-In-Charge
Field Operations and Statistics Service

ATTY. RONALD R. MACOROL
Public Attorney IV
Member, PBAC
Officer-In-Charge
Special Appealed Cases Unit

**Approved:
For and by the authority
Of the Chief Public Attorney**


DIR. MARILYN S. BOONGALING
Director II
PAO-Administrative Service

ANA LISA M. SORIANO
Deputy Chief Public Attorney

Acceded By: (The TWG)

MS. ALMA E. DUMAGO-LATOSA
Head, Technical Working Group (TWG)
Director II
Financial Planning and Management Service


MR. THOR ARTHUR B. AVILLA
Member, Technical Working Group (TWG)
Administrative Officer V
Human Resource Management Service
Administrative Service



MR. MICHAEL M. MENDOZA
Member, Technical Working Group (TWG)
Administrative Assistant III
Cash Section
Administrative Service


Prepared By: (The Secretariat)

(On Leave)
ATTY. MIGUEL NARCISO A. ILAGAN
Head, PBAC Secretariat
Public Attorney III
Executive Support Staff


ENGR. ANGELA M. MARAMAG-PRADO
Member, PBAC Secretariat
Computer Programmer I
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MS. FILIPINA Y. ESPIRITU
Member, PBAC Secretariat
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MR. JULIUS DONIVAN F. BARSANA
Member, PBAC Secretariat
Planning Officer I
Field Operations and Statistics Service


MR. ANDRIAN H. MARASIGAN
Member, PBAC Secretariat
Administrative Officer II
Supply Section, Administrative Service



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Bids and Awards Committee

POST QUALIFICATION REPORT

**SUPPLY AND DELIVERY OF DRINKING WATER
FOR PUBLIC ATTORNEY'S OFFICE (PAO) – CENTRAL OFFICE FY 2024**
(Through Public Bidding Pursuant to 2016 Revised Implementing Rules and Regulations of
Republic Act No. 9184)

1. Approved Budget for the Contract

The bidder shall bid for the item described in this Terms of Reference, which shall not exceed the Approved Budget for the Contract in the amount of **THREE HUNDRED FIFTY-ONE THOUSAND PESOS (Php 351,000.00)**, inclusive of all taxes applicable and bank and government charges payable.

2. Specification:

| No. | Scope of work / Schedule of Requirements | Delivery Schedule |
|-------|--|---------------------------------|
| 1 Lot | <p>1. Supply and delivery of Eight Thousand Seven hundred seventy-five bottles of Five-gallon round containers of purified drinking water (8,775) @ P40.00 per bottle for year 2024, and to be delivered by the winning bidder at the PAO Central Office.</p> <p>The bid price rental submitted by the winning bidder shall not be increased during the duration of the contract.</p> <p>FREE USE OF HOT AND COLD DISPENSERS</p> <p>Twenty-Five (25) hot and cold dispensers which are brand new, shall be provided to PAO with no additional costs. Brand new hot and cold dispensers with 220 volts.</p> <p>Supplier shall render monthly maintenance and repair of the water dispensers provided to PAO, including the replacement of its units and parts, should there be any defect in the water dispenser which renders it unusable, all costs of which shall be on the account of the supplier.</p> <p>Supplier shall ensure the delivery of at least One hundred fifty (150) bottles of five-gallons of drinking water every week.</p> <p>Supplier shall submit microbiological test results from duly-licensed Environmental Health Laboratory Service and shall have a sanitary permit / certificate of potability.</p> | 1st working day of January 2024 |

| | | |
|--|--|--|
| | <p>Payment shall be made to the supplier on a monthly billing basis. (Based on actual number of delivered bottles) Monthly maintenance report of water dispenser must be attached in the monthly billing.</p> <p>Contract term: 12 months (January to December)</p> <p>Supplier shall provide a certificate that the units are brand new and unused.</p> <p>Warranty: One year free replacement of spare parts and services.</p> <p>Machines that cannot be repaired within forty eight (48) hours shall be replaced with a new unit.</p> <p>Replacement of defective parts, provided the machine is still functional, shall be made within forty eight (48) hours from response, except justifiable cause</p> | |
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Single calculated and responsive bidder:
NEWARK SPRING WATER

| |
|----------------------------|
| NEWARK SPRING WATER |
| P296,331.75 |

Documentary requirements:

| Legal Documents | |
|---|-----------|
| Valid PhilGEPS Registration Certificate (Platinum Membership) (all pages) | Compliant |
| Registration certificate from Securities and Exchange Commission (SEC), Department of Trade and Industry (DTI) for sole proprietorship, or Cooperative Development Authority (CDA) for cooperatives or its equivalent document, | Compliant |
| Mayor's or Business permit issued by the city or municipality where the principal place of business of the prospective bidder is located, or the equivalent document for Exclusive Economic Zones or Areas; | Compliant |
| Tax clearance per E.O. No. 398, s. 2005, as finally reviewed and approved by the Bureau of Internal Revenue (BIR). | Compliant |
| Technical Documents | |
| 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 | Compliant |
| Statement of the bidder's Single Largest Completed Contract (SLCC) similar to the contract to be bid, 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 | Compliant |
| 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 | Compliant |
| Conformity with the Technical Specifications, which may include production/delivery schedule, manpower requirements, and/or after-sales/parts, if applicable; and | Compliant |
| 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 | Compliant |

| | |
|--|-----------|
| 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 | |
| The Supplier's audited financial statements, showing, among others, the Supplier's total and current assets and liabilities, stamped "received" by the BIR or its duly accredited and authorized institutions, for the preceding calendar year which should not be earlier than two (2) years from the date of bid submission; and | Compliant |
| 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. | Compliant |
| Financial Component Envelope | |
| Original of duly signed and accomplished Financial Bid Form; and | Compliant |
| Original of duly signed and accomplished Price Schedule(s). | Compliant |
| Bid Data Sheet | |
| Company profile | Compliant |
| List of Existing and previous clients | Compliant |
| Certification of Bidder issued by its authorized representative/official, identifying whether it is a manufacturer, supplier or distributor of the items subject of procurement. If Bidder is not the manufacturer, a certification from the manufacturer that the bidder is its authorized seller/distributor/dealer must also be submitted. If Bidder is a reseller, a certification from its MANUFACTURER that the bidder is its authorized reseller. | Compliant |
| Certificate of authenticity from the manufacturer for the items to be supplied. | Compliant |
| VAT Registration | Compliant |
| Latest Income Tax Return | Compliant |

Remarks: Upon verification and validation of the Technical Working Group (TWG) the bid of **NEWARK SPRING WATER** passed the post qualification as it appears to be **compliant** with the specifications and to the documentary requirements of the bids. It is hereby recommended that the contract be awarded to the said bidder.

November 7, 2023

TECHINICAL WORKING GROUP:

Head:

ALMA E. DUMAGO – LATOSA

Director II
Financial Planning and Management Service

Members:

THOR ARTHUR B. AVILLA

Administrative Officer V
Human Resource Management and Development Division
Administrative Service

MICHAEL M. MENDOZA

Administrative Assistant III
Cash Section
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