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3 **SUPPLY AND DELIVERY OF FOOD SUBSISTENCE FOR PERSONS DEPRIVED OF**  
4 **LIBERTY (BUREAUWIDE)**

5 BAC OFFICE, Conference room

6 February 04, 2020

7 P 904, 942, 500.00

8  
9 **I. IN ATTENDANCE**

10  
11 ASEC MILFREDO M MELEGRITO -BAC CHAIRMAN  
12 CCI JOHN PAUL SANTOS -BAC VICE-CHAIRMAN  
13 DIR NORA CORAZON PADIERNOS -BAC MEMBER  
14 ENGR. CARMELA PARAN -BAC MEMBER  
15 CCI VIRGINIA MANGAWIT -BAC MEMBER  
16 MR. WILLIAM M. TERRADO -HEAD BAC SECRETARIAT  
17 COII MARIA ADORACION VIÑAS -ASST. HEAD BAC SECMEMBER  
18 COIII DEBORAH S. RABO -BAC SECRETARIAT MEMBER  
19 COII LOVELY MARIANO -BAC SECRETARIAT MEMBER  
20 COII SHEILA I. DICHOSO -BAC SECRETARIAT MEMBER  
21 COII EMMYLOU P. MIRANDA -BAC SECRETARIAT MEMBER  
22 COII QUIN ANNIE J. CABIAS -BAC SECRETARIAT MEMBER  
23 CTOIII AGERICO PANOPIO -BAC SECRETARIAT MEMBER  
24 CSOII GLENN MENDOZA -TWG MEMBER  
25 CTOII ALEXIS CATINDIG -TWG MEMBER  
26 SJOII FAUSTINO BINARAO, JR. -TWG MEMBER  
27 COII NORMAN AGANAD -TWG MEMBER  
28 COI TOBBY MATEO GATDULA -TWG MEMBER  
29  
30

31 **END USER**

32  
33 ROBERT O. MANDAP -SRPPF  
34 RUBEN FABRIGAS -SPPF  
35 ELLEN SUMAWAY -CIW  
36 FLORINGAILE DAQUINAG -SRPPF  
37 ARNEL BONDOC -IPPF  
38 SEPHURA NARVAEZ -SRPPF  
39 RAIMOND CAMPILIS -LRP  
40 SUSAN URGEL -LRP  
41 RIC RUCACURBA -DPPF  
42 JOSE VERDADERO, JR. -NBP-MEDSECOM  
43 ELISEO BELVIS -SPPF  
44 KARREN JOY COSTALES -SPPF  
45 JHAERON LACABEN -NBP-WEST  
46 MORRISON IMINGAN -NBP-SOUTH  
47 RICARDO ZULUETA -NBP-MINSECOM



48 CASSIUS AVELINA

-NBP-NORTH

49

50 **PROSPECTIVE BIDDERS**

51

52 3 P'S represented by; BERNIE MATIGNAS

53 EDCT represented by; MARC CABRERA

54 CRAVINGS CREATIVE FOOD SOLUTIONS, INC. Represented by; MARCELA GATBONTON

55

56 **II. CALL TO ORDER**

57

58 The meeting was presided and called to order by the BAC Chairperson ASEC Milfredo M. Melegrito at  
59 on or about 9:10 in the morning.

60

61 **III. HIGHLIGHTS OF THE PRE- BID CONFERENCE**

62

63 ASEC Melegrito gave a brief backgrounder pertaining to the PRE BID on the Supply of Food subsistence  
64 for Persons Deprived of Liberty. The details are the following:

65

66 \*The pre-bid was posted at PhilGeps on January 29, 2020 and the approved budget for contract is  
67 amounting to P 904, 942, 500.00 pesos. The mode of procurement for this project is competitive  
68 public bidding. The end user for the said project are the OPPFs of BuCor and was included in the  
69 Annual Procurement Plan of 2020. The submission of the Bid Opening will be on February 18,  
70 2020 @ 0900H to be held at the BAC Conference room.

71

72 The Chairman (ASEC Melegrito) inquired from the BAC SEC if there is a quorum and the BAC SEC  
73 said it was negative at that time. He then instructed the BAC SEC to introduce the BAC Members and  
74 TWG in attendance.

75

76 CO2Viñas proceeded with the introduction of the BAC members, Secretariat and TWG to the prospective  
77 Bidders.

78

79 The Chairman requested the bidders and their authorized representative to introduce themselves and the  
80 company they are representing.

81

82 After the introduction of the bidders, the Chairman announced to start the pre bid and instructed the BAC  
83 Secretariat to introduce the observers.

84

85 CO2Viñas informed that an invitation to the COA Auditor was sent on January 30, 2020. She emphasized  
86 that the COA resident was not able to attend despite the efforts of invitation.

87

88 The Chairman added that invitation to observers were also sent to the Philippine Chamber of Commerce  
89 Institute, the DOJ technical staff and the Philippine Prison Jesuit Service and the BuCor office of the  
90 Commission on Audit. He also informed the body that one bidder bought the bidding documents which is  
91 MangKiko. He then gave the floor to CT02 Catindig for announcements while awaiting to have a quorum.

92





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93 CTOII Catindig announced to proceed with the Pre bid conference. The Chairman added that questions  
94 and clarifications will now be entertained at the end of the presentation or may interrupt the presenter if  
95 the bidders have queries.

96

97 CTOII Catindig welcomed all attendees and gave a background on the ongoing pre bid. He added that the  
98 project is intended for 11 lots as follows:

99

- 100 Lot 1 – NBP North with an ABC of 53,900,000.00
- 101 Lot 2 – NBP West with an ABC of 71,225,000.00
- 102 Lot 3 – NBP East with an ABC of 94,325,000.00
- 103 Lot 4 – NBP South with an ABC of 109,012,750.00
- 104 Lot 5 – RDC (Reception and Diagnostic Center), Medium and Minimum-Security camps  
105 with an ABC of 191,537,500.00
- 106 Lot 6 – CIW Mandaluyong with an ABC of 61,600,00.00
- 107 Lot 7 – DPPF and CIW Mindanao with an ABC of 137,907.00.00
- 108 Lot 8 – Iwahig Prison and Penal Farm with an ABC of 55,074,250.00
- 109 Lot 9 – Sablayan Prison and Penal Farm with an ABC of 52,706,500.00
- 110 Lot 10 – San Ramon Prison and Penal Farm with an ABC of 32,243,750.00
- 111 Lot 11 – Leyte Regional Prison with an ABC of 45,410,750.00

112

113 CTOII Catindig read a portion of the bidding documents. He added that the similar contracts shall refer to  
114 the food subsistence such as but not limited to the delivery of all prepared/preparation of whether  
115 processed or in its original form of food or edible materials for human consumption for those engaged in  
116 food business or food supply chain as defined in food safety act of 2013. He then asked for any questions  
117 from the bidders.

118

119 The Chairman acknowledged the representative of MangKiko who raised a concern.

120

121 Atty. Blas inquired about the posting on PhilGeps website which he said was posted on January 29, 2020.  
122 He claimed that it may become a procedural issue because under the rules, the pre bid conference should  
123 not be later than 7 days from the date of publication, and since it is February 4<sup>th</sup>, it has been only 6 days.  
124 He said that he just wants to clarify that for the consideration of the board.

125

126 The Chairman asked the BAC SEC for verification on the raised issue.

127

128 While waiting for the verification of the issue, Mr. Chairman introduced the end users coming from the  
129 different OPPFs (Operating Prison and Penal Farms). He requested the representatives from the OPPFs to  
130 stand to be recognized. He called the OPPFs one by one and found that there was no representative from  
131 the CIW Mandaluyong.

132

133 The Chairman raised a question if the submission to complete the requirements for the pre bid conference  
134 is only for seven days and what would be its legal effect if they would not be able to comply with the  
135 allotted seven days. He asked if there is any motion from the BAC members.

136



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137 CTOII Catindig motioned that the posting on PhilGeps was made on January 28, 2020 and that the  
138 effectivity date would automatically be on the next day (January 29, 2020) meaning it is compliant to the  
139 seven-day period (January 29, 2020 to February 04, 2020). He clarified what was mentioned earlier that  
140 the posting was done on January 29<sup>th</sup>. He also added that the PhilGeps website will not accept the posting  
141 if it is earlier or later than seven days since it is computer generated meaning it will automatically  
142 compute the timeline.

143

144 The motion was noted by Mr. Chairman and asked to proceed with the pre bidding conference.

145

146 CCINSP. Santos clarified if the posting on PhilGeps made it on time.

147

148 CTOII Catindig emphasized that PhilGeps will not accept the posting if it didn't comply the period of  
149 seven days and inquired if the OPPFs does the same.

150

151 All the OPPFs agreed.

152

153 CTOII Catindig proceeded with the presentation starting with the submission of eligible documents. The  
154 first envelope will contain the Legal Documents. 1. Valid and current PhilGeps registration and  
155 membership, 2. Valid and current SEC registration or corporation, 3. Valid and current DTI certificate of  
156 registration, FOR SOLE PROPRIETORSHIP: 1. Valid and current cooperative development authority for  
157 cooperative.

158

159 The Chairman inquired if there are new bidders who are not familiar with the requirements. He instructed  
160 Mr. Catindig to dispense the reading of the requirements one by one for the new bidders and asked him to  
161 continue with the presentation.

162

163 CTOII Catindig reiterated the Legal documents to be submitted. He cited that according to PhilGeps, If  
164 the bidders are already a PhilGeps member ( pag may philgeps na tayo) they may be exempted to submit  
165 registration permits and clearances. He also emphasized that the rule of BuCor is to submit all Legal  
166 documents to fast track the procedure of post-qualification. He then proceeded with the statement of on-  
167 going contracts. It is a requirement for the bidders to state all their on-going contracts whether similar or  
168 not similar in nature, private or government contracts. Next is the Statement Identifying the Bidders  
169 completed contract within the last four years equivalent to at least 50% of the ABC to be bid (per lot). He  
170 then proceeded with the SLCC that requires supporting documents, which are as follows:

171

- End user's acceptance
- Acceptance Report or Official Receipt
- Sales Invoice

172

173

174 He added the FS - Audited Financial Statement for the previous year. Next is the NFCC which must be at  
175 least equal to the ABC to be bid and calculated as follows:

176

177

\*CURRENT ASSETS – CURRENT LIABILITIES X 15 ( – THE VALUE OF THE  
178 OUSTANDING OR THE COMPLETE PORTION UNDER THE ON-GOING CONTRACTS).

179





180 In addition, Mr. Catindig said that if there's no NFCC, the bidders can avail the CFC which must be equal  
181 to 10% of the ABC to be bid. He then asked if there are any questions from the body. He also asked if  
182 there is a JVA and got negative response. He proceeded with Bid Security declaration.

183

184 The Chairman instructed Mr. Catindig to dispense the information since there are no new bidders and  
185 asked with the most material information.

186

187 CTOII Catindig proceeded with the packaging and sealing of documents. He presented a sample of the  
188 Mother Envelope. He explained that there should be one Mother envelope to be submitted per lot, for a  
189 total of 11 Mother envelopes. So aside from the Mother Envelope there are two more envelopes. One is  
190 the Eligibility documents which needs to be submitted first to be able to open the next envelope which is  
191 the Financial Bid that contains 4 folders containing the original technical components – copy 1, copy 2  
192 and copy 3. The original technical components don't necessarily mean original license and permits. But  
193 all the signatures should be authentic. So the copies 1-3 must contain identical copies of the original  
194 documents. This is also same with the financial docs which must be 4 copies each. He added that all the  
195 information that needs to be filled up by the bidders are available/readable once they buy the bid  
196 documents. He stressed that the bidders should follow all the instructions.

197 CTOII Catindig proceeded with the schedule of requirements and explained that it is subject to change  
198 depending on the OPPFs.

199

200 The Chairman asked to turn back the presentation to the actual prison population and pointed out that the  
201 fund will be based on the actual population and explained that what they review on that they may not  
202 reflect the actual GAA in fact, there is a big discrepancy due to transfer of PDLs, the GCTA problem  
203 wherein there were a lot of PDL returnees. So the projection of PDL population has 5% increase. He cited  
204 San Ramon for example, wherein based on the GAA, the population is about 1675. But the actual  
205 population is 2297 with a discrepancy of 622. In effect, the fund provided is based on the GAA. The  
206 Chairman, told the bidders not to worry as he is discussing with the budget division to request funds to  
207 pay for additional PDL. He informed that this is the condition of the BAC because it is stated in the  
208 presentation that it based on the actual population and that they will be paid based on actual population.  
209 He stressed that it is the reason why they invited the end users so that they would be aware on the process  
210 of bidding. He then instructed CTOII Catindig to proceed with the presentation and instructed to focus on  
211 the more substantial aspect of the pre bid.

212

213 CTOII Catindig proceeded with the technical specifications. Since the bidders were given a copy of the  
214 technical specs, he asked them if they have any questions about the food related technical specs. And  
215 since the bidders were silent, he assumed that there no inquiries from them.

216

217 The Chairman instructed CTOII Catindig to present and read slowly and give the bidders and the end  
218 users ample time to comprehend the process of pre bid. He also asked CTOII Catindig to point out the  
219 most substantive information of pre bid due to every one's busy schedule. He inquired with the OPPFs if  
220 they are meeting the time line which is not later than 5:30. He added that there's an inspection committee  
221 who can verify if the timeline is being met for the end users and check the signing of bank checks. He  
222 emphasized the importance of the inspection committee and that the common issue is the quality of food.  
223 He reminded the bidders on the quality of the food that will be served.

224





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225 The Chairman also inquired if there is a problem with the use of the facilities from the end users. He  
226 reminded them that it is their responsibility to call the attention of the bidder (winning bidder/caterer) if  
227 there will be a problem. They will be responsible for checking if there is 100% compliance to what are  
228 stated in the terms of reference. He also noted the changes in the 10 cycle menu and informed that the  
229 BAC will not strictly impose and leave it to the end users. He stressed that a pre bid is being conducted to  
230 ensure how the PDL will benefit with the quality of food that they are expecting.

231  
232 CTOII Catindig asked if there are any questions pertaining to the menu.

233  
234 The Chairman informed the bidders that there are procedures if they intend to change the menu. He  
235 emphasized that it must be approved by the HOPE or his authorized representative. He instructed the  
236 BAC TWG to include in the procedures, that in the event that the winning bidder change the menu, they  
237 are given sufficient number of time to seek for approval. He added that it is being added there so that the  
238 bidders will comply and do it in advance. He asked the bidders on what is a reasonable number of days to  
239 seek approval to change the menu so that it can be included in the term of reference.

240  
241 One of the bidders informed that the number of days is stated in the section 6, so the Chairman instructed  
242 the BAC Secretariat to look for that statement. Number six (6) states that request of supplier may be  
243 allowed in three (3) days subject to the approval of the Superintendent.

244  
245 The representative form the Sablayan Prison and Penal Farm raised a question. He said that they should  
246 be allot 5% of the ABC intended for the colony produce since they have vegetable and meat products.

247  
248 The Chairman responded that they should coordinate with the winning bidder to buy the product of their  
249 PDL because the contract stated to just serve the food but it is not stated whether if the winning bidder  
250 should buy form OPPFs. The Chairman clearly stated that they cannot include that in the term of  
251 reference. So he said it is up to the colony to convince the winning bidder if it is reasonable since the PDL  
252 can benefit as the BuCor also focuses on the livelihood programs. He emphasized that the matter will no  
253 longer be in the BAC's jurisdiction.

254  
255 The response from the Chairman was noted by the Representative form Sablayan Prison and Penal farm.

256  
257 A question from the MangKiko representative was raised regarding the use of the Kitchen for Lot's 1-4  
258 which are all inside the Maximum Security Compound. In the event that there will be four winning  
259 bidders, how are they going to share the kitchen. What is the procedure?

260  
261 The Chairman answered that it is clearly stated in the terms of reference: The winning bidder may be  
262 allowed to use upon request. In an event that there are 4 winning bidders, which is possible, and there is  
263 only one kitchen, the issue is, who will use the kitchen? He noted that it is a very serious matter which he  
264 also raised previously. He cited, granting there is no kitchen, especially in the Maximum, it is the  
265 responsibility of the winning bidder to deliver the food. But on how and where to cook it is beyond the  
266 control of NBP. He added that originally, there is a proposal for building a kitchen outside the camps. So  
267 what if there is no kitchen? He also emphasized that the terms stated that the request "May be Allowed"  
268 meaning it is upon approval. So if there is a possibility that the request may not be approved. He also  
269 added that even if one bidder wins, but the request to use the kitchen may not be approved due security





270 issues like the entry of contrabands. However, the Chairman informed that they are reviewing for a long  
271 term solution for the said problem. He said that if there will be funds provided for the construction of  
272 kitchen outside the camps, they will look for a location and fast track, prioritize the construction of the  
273 said kitchen. He said that the matter will be looked into in the future but cannot be resolved at the  
274 moment. Finally, he said that in effect, the winning bidder for NBP Max will be prioritized to use the  
275 Kitchen.

276  
277 The Chairman asked the end users to meet separately and decide for the kitchen. He wanted to convene  
278 immediately on the proposal to construct a kitchen. He then reviewed the lots as to how many kitchen and  
279 said it should be approximate with the location of the lots. He told the bidders not to worry as they would  
280 fast track the project on kitchens for the convenience of the end users.

281  
282 A question was raised regarding the specification of the kitchen. In the event that the winning bidders is  
283 allowed to use the separate kitchen, it should subscribe with the general description of the kitchen.

284  
285 The Chairman asked the TWG to add a criterion to impose the winning bidders on the guidelines on how  
286 to use the kitchen. He added that it would be a requirement to inspect the kitchen of the winning bidder.  
287 He asked the bidders of what would be the ideal area for the proposed kitchen.

288  
289 CTOII Catindig added that if the winning bidders would rent a kitchen outside one of the main concern  
290 will be the sanitation.

291  
292 The Chairman agreed and added that it would be the area, sanitation and personnel that would be  
293 inspected. He also emphasized that it would be the responsibility of BuCor to ensure that the winning  
294 bidder subscribes with the standard.

295  
296 One concern was raised form the bidder, she relayed that under section 6, it states that schedule of  
297 requirements for the breakfast, the daily distribution of breakfast for the PDL should not be later than  
298 5pm. She wanted everyone to take note that the gate 4 opens at 6am and that would delay the distribution  
299 of food to PDLs.

300  
301 The Chairman responded that it would be easy to arrange later which is why they invited the end users.  
302 He said that all the concerns of the winning bidder will be addressed directly to the end users. He advised  
303 the bidders to communicate any administrative concerns to the end users to be able to help them. He  
304 added that to if it is a general policy, there would be an exception to that policy to answer to special  
305 situation.

306  
307 A concern was raised from one of the bidders. He said that it has been observed that all the problem falls  
308 in the use of the kitchen, logistics, that arises from the fact that the Maximum-Security Compound is  
309 divided in to 4 lots. He recommended that the Maximum-Security Compound having been designed as 1  
310 lot/ single lot with 1 kitchen be reverted to its original state for the convenience of the bidder and the  
311 institution as well and to avoid any issues in the future.

312  
313 The Chairman responded that it is being decided by the management to proceed with the phase in the  
314 bidding of published lots. He added that the purpose of the matter is in the event that the NBP will be



315 transferred in to a new location. As to the matter that the NBP has been splitted is beyond his control as  
316 the BAC Chairman. He said that it was changed during the time of USEC Faeldon and he doesn't see any  
317 urgency in changing the present system to favor somebody. He added that those matters are  
318 organizational changes and that we should always adapt to changes. He then instructed the TWG to  
319 include in the terms of reference the allowable square meters or at least the formula if the size will depend  
320 according to population.

321

322 One suggestion one of the bidders said that, every winning bidder should have their own kitchen. He  
323 further suggested that whoever will win the bid of the lot with the most number of population inside  
324 Maximum should be prioritized to use the kitchen inside the Maximum Security Compound. He added  
325 that it is okay with them (bidders) to have their own kitchen provided that his suggestion be included in  
326 the term of reference.

327

328 The Chairman noted the suggestion and asked other bidders if there are any objections.

329

330 One of the bidders stated that it is possible to put up their own kitchen.

331

332 The Chairman emphasized that if they are a bidder of Supply and Delivery of Food, it is already implied  
333 that they have their own kitchen. The bidder should provide a kitchen as they knew that there is only one  
334 kitchen inside the Maximum-Security Compound. He added that whoever the DG will allow to use the  
335 kitchen is already within the DGs discretion. He finally reminded the bidders that if they win the bid, they  
336 should provide for their own kitchen. He then asked if there are any more concerns to be added in the  
337 terms of reference.

338

339 CCINSP. Santos reminded the bidders or the winning bidders to expect an inspection from the  
340 management especially with the sanitation. He added that it is constructively understood that the bidders  
341 have their own kitchen since they are caterers and has to get away from the past practices to solely depend  
342 on the Kitchen inside the Maximum-Security Compound. It is the wisdom of the DG to put all things in  
343 proper perspective.

344

345 The Chairman cited the inspection team that would include not only the inspection of the quality of food,  
346 but the facilities and the equipment. He once again asked if there are any addition and deduction from the  
347 terms of reference.

348

349 CCINSP. Santos emphasized to the bidders to never expect to use the kitchen. So that it would be a mind-  
350 set of the bidders to produce their own kitchen.

351

352 One of the bidders clarified the kitchen concerns in the Colonies. If the kitchen will be available to the  
353 winning bidder since it is only one lot.

354

355 The Chairman responded that since the colonies are for one lot, there would be no problem in the use of  
356 kitchen. He once again reiterated that the use of the kitchen is only a privilege to the caterers and that in it  
357 may not be allowed for use due to security concerns and issues.

358





359 CCINSP. Santos cited the text messages thru iTXT KAY SIR BANTAG, claiming that the entry of  
 360 contrabands is thru the entry of food and raw materials, so he would strongly suggest the prohibition of  
 361 the use of kitchen inside the Maximum-Security Camp because of the threats to the security.

362  
 363 The Chairman once again emphasized that everything boils down to the decision of the DG because he is  
 364 always answerable to everything. The head of the agency always consider what is good for the agency.  
 365 He asked for any more questions before the adjournment of the pre-bid.

366  
 367 CCI Mangawit made motion that if there are no more questions and concerns, they may move to the next  
 368 meeting.

369  
 370 BAC members seconded the motion.

371  
 372 **IV. ADJOURNMENT**

373  
 374 There, being no other concerns to discuss, the meeting adjourned at 12:00 noon.

375  
 376  
 377 Taken and Prepared by:

378  
 379 **CO3 DEBORAH SORIANO – RABO**  
 380 Member, BAC Secretariat

381  
 382 Reviewed by:

383  
 384 **MR. WILLIAM M. TERRADO**  
 385 Head, BAC Secretariat

386  
 387 Concurred by:

388  
 389 *Nora Corazon T. Padiernos*  
 390 **DIR. NORA CORAZON T. PADIERNOS**  
 391 Member, BAC

On official business  
**ATTY. ROY LAWAGAN**  
 Member, BAC

392  
 393 *Carmela C. Paran*  
 394 **ENGR. CARMELA C. PARAN**  
 395 Member, BAC

**CCI VIRGINIA MANGAWIT**  
 Member, BAC

396  
 397  
 398 *John Paul O. Santos*  
 399 **CSINSP JOHN PAUL O. SANTOS**  
 Vice-Chairperson

400  
 401  
 402 *Milfredo M. Melegrito*  
 403 **ASEC MILFREDO M. MELEGRITO**  
 Chairperson