

OFFICE ADDRESS: NATIONAL GOVERNMENT CENTER
E. DE LOS SANTOS AVENUE
QUEZON CITY PHILIPPINES

TELEPHONE NOS.:
CABLE
TELEX

97-60-71 to 78
NIAPHIL
42802 NIA PM

OUR REFERENCE:

MC No. 44 S. 1998

MEMORANDUM CIRCULAR

TO : All Members of PBAC A and PBAC B, C.O. and Field Offices
All Members of the Technical Secretariats, C.O. and Field Offices

SUBJECT : Policy Guidelines for PBAC A and PBAC B and their Technical Secretariat

In order to attain maximum transparency, fairness, honesty and expeditious procurement process and to have permanent complete records of the PBAC proceedings, the following policy guidelines are hereby promulgated:

1. Detail of personnel to the PBAC and Technical Secretariat shall be made pursuant to Memo Circular # 36, S98 through an Office Memorandum to be signed by the Administrator. Such detail shall be deemed an additional duty to the duties and responsibilities inherent to ones position. Office Memoranda or Special Orders for this detail shall be filed in the personnel file of the official and this, together with any recognition for meritorious services, shall bear weight for promotion.

2. Each voting PBAC member shall be provided with a folder, where copies of the evaluation worksheets by the Technical Secretariat, the copies of the Minutes of the PBAC meetings, the copies of the Resolutions of the PBAC etc., are bound and filed for reference of the PBAC member. Such folder shall be distributed at the start of the meeting and returned back to the Recording Secretary/Secretary Member after the adjournment of the meeting. The Technical Secretariat and the Recording Secretary are responsible for adding or enclosing in the folder, the documents intended for the PBAC member. The contents of the folder are confidential and the folder shall be treated as such. The Secretary/Member of the PBAC shall have custody of and charge for the safeguard the folders when not in use by the members..

3. Upon receipt of the request for procurement of civil works contracts or goods and services, the Technical Secretariat shall prepare the bidding milestones with normal time durations between milestones. The PBAC shall strictly comply with the time durations therein. Everytime the scheduled time frame for each milestone is exceeded, this fact shall be duly noted in the minutes of meeting, with explanations or reasons thereof.

mg 10/21/98



Republika ng Pilipinas
Pambansang Pangasiwaan ng Hatubig
(NATIONAL IRRIGATION ADMINISTRATION)
Lungsod ng Quezon

OFFICE ADDRESS: NATIONAL GOVERNMENT CENTER
E. DE LOS SANTOS AVENUE
QUEZON CITY PHILIPPINES

TELEPHONE NOS.:
CABLE
TELEX

97-60-71 to 78
NIAPHIL
42802 NIA PM

OUR REFERENCE:

4. The PBAC meetings shall be conducted formally and in such a manner that the tape recording or stenographic notes will be clear, audible and orderly. Only one member who has the floor should speak at any one time. The Recording Secretary shall see to it that the discussions, motions, comments and dispositive actions on every agenda item, shall be recorded on tape or/and stenographic notes and transcribed in clear language.

5. The PBAC Secretary shall keep a record of the minutes of the meeting of the PBAC. Such minutes shall be read, edited/corrected and approved during the subsequent meeting of the PBAC. The Secretary shall certify to the correctness of the minutes and the same shall be attested to by the Chairman.

6. The agenda of the PBAC meeting, shall encompass, as a minimum, the following:

- a. Call to order, after a roll call and a quorum has been established.
- b. Reading, corrections and approval of the minutes of previous meeting.
- c. Unfinished business /agenda.
- d. New business/current agenda.
- e. Adjournment.
 - (1). Setting the time, date and venue of next meeting
 - (2). Assignment of responsible officials on action items of the agenda.

7. All the proceedings of the PBAC, except in prebidding conferences, public opening of the technical and financial proposals, shall be confidential. The following document output of the PBAC shall be treated as a confidential documents, and must not be divulged or distributed without the written authority of the PBAC chairman, or the Administrator.

- a. List of Prequalified Bidders
- b. Report of the Technical Secretariat to the PBAC, on the outcome of their prequalification evaluations.
- c. Resolution of the PBAC of Prequalified and Predisqualified Bidders before and after it is approved by the Administrator.
- d. Attendance List during the Pre-Bidding Conference.
- e. Resolution of the PBAC on Award before it is confirmed by the Board.
- f. Transcript and minutes of meeting of the PBAC.

MSB 10/27/98



Republika ng Pilipinas
Pambansang Pangasiwaan ng Pantubig
(NATIONAL IRRIGATION ADMINISTRATION)
Lungsod ng Quezon

OFFICE ADDRESS: NATIONAL GOVERNMENT CENTER
E. DE LOS SANTOS AVENUE
QUEZON CITY PHILIPPINES

TELEPHONE NOS.:
CABLE
TELEX

97-60-71 to 78
NIAPHIL
42802 NIA PM

OUR REFERENCE:

8. As a guide, the agenda of the PBAC Meeting during the Bid Opening shall be :
as follows :

- a. Call to order, after ascertaining the presence of the quorum of the members.
- b. Acknowledging/Registering the presence of non voting members of the PBAC, and the participating bidders/contractors.
- c. Declaration of the closing of the bid box(closing the submission of bids), and recording the time of closing the bid.
- d. Verification of the final submittal of requirements, and rejection of the bids of those bidders who have not complied with the final requirements.
- e. Opening of the bid envelopes, checking of the bid requirements that are enclosed in the bid envelope, recording and public announcement of the bids.
- f. Signing(Initials) of the bid documents by the PBAC members.
- g. Adjournment

(1) setting the target date for the completion of the bid evaluation by the Technical Secretariat.

(2) setting the next meeting of the PBAC.

9. Prequalification Evaluation

- a. PBAC shall extend the necessary assistance to the new bidders by having the Technical Secretariat and at least one member of the PBAC meet with the prospective bidders in a Prequalification Conference to be held at least 7 days before the deadline for the submission of Prequalification documents. The PBAC shall explain in detail, the requirements and supporting documents needed to be submitted in order to facilitate the evaluation of the bidders' capacity to undertake the project or complete the contract on time. Questions of the prospective bidders on prequalification requirements shall be entertained at this time. The PBAC shall emphasize that no additional document can be submitted by the bidders after the deadline for submission and that the PBAC may ask only clarificatory questions. Non-submittal of certain documents shall be explained for appreciation of the PBAC. Lacking or missing documents per se shall be a ground for disqualification to participate in the bidding.

Handwritten signature and date: NIA 9/27/98



Pambansang Pangasiwaan ng Patubig
(NATIONAL IRRIGATION ADMINISTRATION)
Lungsod ng Quezon

OFFICE ADDRESS: NATIONAL GOVERNMENT CENTER
E. DE LOS SANTOS AVENUE
QUEZON CITY PHILIPPINES

TELEPHONE NOS.:
CABLE
TELEX

97-60-71 to 78
NIAPHIL
42602 NIA PM

OUR REFERENCE:

b. After the Technical Secretariat has made its preliminary prequalification evaluation of each of the bidders, it shall present to the PBAC its findings on the deficiencies or uncomplied requirements, as summarized in a work sheet. The Technical Secretariat shall also cite applicable provisions of laws, rules and regulation on the cases at hand. The PBAC shall then discuss among themselves the merits and demerits of each bidder's deficiencies and decide whether or not these deficiencies are considered minor and can be waived with or without conditions. Finally the PBAC shall vote on the pre qualification or pre disqualification of each of the bidders.

The Secretary/Member of the PBAC shall then prepare the resolution on the prequalification and predisqualification of the bidders, based on the results of the deliberation of the PBAC. After the approval of this resolution, the PBAC shall issue the bid documents to those prequalified bidders.

c. After the predisqualified bidders have been informed of their predisqualifications, they are given a chance to make an appeal and/or explain the deficiencies mentioned in the notices of predisqualification, within 7 days from receipt of the notice.

d. After the considerations of the appeals from predisqualified bidders, the PBAC shall inform the Head of Offices of the result of the consideration of appeals and recommend inclusion of those bidders whose appeals were favorably considered. Once approved, these prequalified bidders shall be issued the bidding documents. The period of appeal and its consideration by the PBAC shall be within the period from issuance of the bid documents and the scheduled submission and opening of the bids.

10. Evaluation of Bids

a. The Technical Secretariat shall evaluate all bids, prepare the evaluation worksheets indicating therein the deficiencies or defects of the bid tenders which may cause their rejection or classification as non-complying. The provisions of PD 1594 or other laws, rules and regulations that are applicable to these deficiencies or defects shall likewise be cited. The Technical Secretariat shall then prepare a list of bids by rank from lowest to highest and orally present this list to PBAC, together with the evaluation work sheets.

MS 10/27



Republika ng Pilipinas
Pambansang Pangasiwaan ng Patubig
(NATIONAL IRRIGATION ADMINISTRATION)
Lungsod ng Quezon

OFFICE ADDRESS: NATIONAL GOVERNMENT CENTER
E. DE LOS SANTOS AVENUE
QUEZON CITY, PHILIPPINES

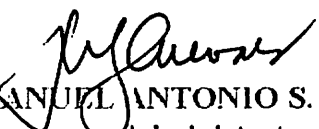
TELEPHONE NOS.:
CABLE
TELEX

97-60-71 to 78
NIAPHIL
42802 NIA PM

OUR REFERENCE:

- b. The PBAC shall conduct its own evaluation of each bid based on the presentation of the Technical Secretariat and decide whether or not each of the bids are complying and if there are findings of deficiencies or defects, whether or not such deficiencies are minor and not affecting the value and substance of the bid prices, and therefore may or may not be waived. Finally the PBAC shall classify the bids as complying and non-complying.
- c. The Technical Secretariat shall then conduct post qualification on the 1st three bidders submitting the lowest three complying bids and present the results of post qualification to the PBAC.
- d. The PBAC shall then evaluate the post qualification result submitted by the Technical Secretariat, and make its final decision on the winning bid.
- e. The PBAC Secretary shall then prepare the resolution of award based on the outcome the PBAC's evaluation of bids and of the post qualification of the three (3) lowest bidders.

For your strict compliance.


MANUEL ANTONIO S. AREVALO
Administrator

October 21st, 1998