

Special Bids and Awards Committee (SBAC)

**DESIGN, BUILD, AND ESTABLISHMENT OF THE NATIONAL FIBER BACKBONE -
PHASE 1 (NFBP1)**

**RESOLUTION NO. 04
(Declaration of LCB)**

The BASES CONVERSION AND DEVELOPMENT AUTHORITY (BCDA), through the Funds of the Department of Information and Communications Technology (DICT) under the General Appropriations Act which were downloaded to BCDA, has put on bid the **Contract for Design, Build and Establishment of the National Fiber Backbone - Phase 1** (the "Project) with an Approved Budget for the Contract (ABC) in the sum of **One Billion, Two Hundred Fifty Million 00/100 Pesos (Php1,250,000,000.00)**, inclusive of all applicable taxes and fees.

WHEREAS, the SBAC for NFBP1, through its Secretariat, advertised the Invitation to Bid on 17 February 2021 in newspaper of nationwide circulation, and on 17-24 February 2021 in the following:

- a. DBM Philippine Government Electronic Procurement System (PhilGEPS);
- b. BCDA Website; and
- c. In a conspicuous place reserved for the purpose in the premises of BCDA.

WHEREAS, in response to the said advertisements, six (6) interested bidders bought the bidding documents for the project, namely:

1. Streamtech Systems Technologies, Inc.
2. NERA Philippines, Inc.
3. iOne Resources, Inc.
4. One Commerce International Corporation
5. Net Pacific, Inc.
6. Inspiration Network Engineering Services (INES) Solutions, Inc.

WHEREAS, three (3) of the aforementioned interested bidders submitted their bids prior to the set deadline for the submission of bids for the project on 15 March 2021 at 12:00 noon, and one (1), aside from not having purchased bidding documents, failed to submit its bid on time, thus: a) NERA Philippines, Inc. has partnered with R.D. Policarpio & Co., Inc. and Livan Trade Corporation, and submitted their bid as a Consortium, b) Net Pacific, Inc. has likewise partnered with ComClark Network and Technology Corporation and Trends and Technologies, Inc., and submitted their bid as Joint Venture, c) Inspiration Network Engineering Services (INES) Solutions, Inc. also submitted its bid, and d) the 21 THIONEMJAS did not purchase the bidding documents for the Project but submitted its bid late which was at 12:02 PM of 15 March 2021, thus, its bid was immediately returned

unopened;

WHEREAS, on 15 March 2021, the Eligibility Documents and Technical Proposals of the 3 bidders were opened and subjected to a preliminary evaluation by determining the presence or absence of the required documents using “pass/fail” criterion. On 16 March 2021, reconvening from the adjournment, the SBAC, as part of the evaluation of Technical Proposals and as required under the Bidding Documents, heard the oral presentations of the 3 bidders of their Project Implementation Plan and Technology to be utilized for the Project, and thereafter duly adjourned;

WHEREAS, on 23 March 2021, the SBAC reconvened/resumed its proceedings for the deliberation of the results of the preliminary evaluation of the submitted Technical Proposals and of the presentations on Project Implementation Plan and Technology made by the 3 bidders. After checking the sufficiency of the submitted documents and the Project requirements as regards its presence or absence, the table below shows the results of the preliminary evaluation of the Technical Proposals and the evaluation of the 3 bidders’ presentations, to wit:

BIDDERS	RESULTS	REMARKS
NERA Philippines, Inc./ R.D. Policarpio & Co., Inc./Livan Trade Corporation (Consortium)	PASSED	
Net Pacific, Inc./ComClark Network and Technology Corporation/Trends and Technologies, Inc. (Joint Venture)	PASSED	
Inspiration Network Engineering Services (INES) Solutions	FAILED	<p>The Technical Proposal of the bidder was rated “failed” due to the absence of the required documents or non-compliance with the requirements provided under the bidding documents for the project, and RIRR of R.A. 9184, to wit:</p> <ul style="list-style-type: none"> Failed to submit the PhilGEPS Platinum Certificate of Registration, and Tax Clearance, <i>[in violation of Sections 8.5.2 and 23 of the RIRR of R.A. 9184]</i>. Failed to submit the supporting documents of its submitted Statement of all Ongoing Government and Private Contracts, <i>[in violation of the required Bid Forms under the Vol. 1 of Bidding Documents for the Project]</i>.

	<ul style="list-style-type: none"> ● Failed to submit PRC License for its nominated Project Manager, <i>[in violation of Clause 10.4 of the Bid Data Sheet (BDS)]</i>. ● Failed to submit the Certificate of Availability of Key Personnel, <i>[in violation of the required Bid Forms under the Vol. 1 of the Bidding Documents for the Project]</i>. ● Failed to submit Summary of Technical Specifications, <i>[in violation of Vol. 2 Section II. Minimum Performance Specifications and Parameters of the Bidding Documents]</i>. ● Failed to submit Technical Specifications for Fiber Optic Cable Build (Component 1), <i>[in violation of Vol. 2 Section II. Minimum Performance Specifications and Parameters Clause 2.1 of the Bidding Documents]</i>. ● Failed to submit Technical Specifications for Transponder Component (Component 2), <i>[in violation of Vol. 2 Section II. Minimum Performance Specifications and Parameters Clause 2.2 of the Bidding Documents]</i>. ● Failed to submit Technical Specifications for Optical Transport Network (Component 3), <i>[in violation of Vol 2 Section II. Minimum Performance Specifications and Parameters Clause 2.3 of the Bidding Documents]</i>. ● Failed to submit 100Gbps IP Transit (Component 4), <i>[in violation of Vol 2 Section II. Minimum Performance Specifications and Parameters Clause 2.4 of the Bidding Documents]</i>. ● Failed to submit the Presentation of the Technologies Proposed for the NFBP1
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		project, <u>[in violation of Vol 2 Clause 6.8.1 Section 1 of the Bidding Documents]</u>
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Based on the above results, and as recommended by the SBAC Technical Working Group (TWG), the SBAC declared the Technical Proposals of **NERA Philippines, Inc./ R.D. Policarpio & Co., Inc./Livan Trade Corporation (Consortium)** and **Net Pacific, Inc./ComClark Network and Technology Corporation/Trends and Technologies, Inc. (Joint Venture)** as “passed”.

WHEREAS, on 24 March 2021, the SBAC, reconvening from adjournment, caused the Opening of the Financial Proposals of the aforementioned 2 bidders whose Technical Proposals were rated “passed”, and proceeded to the Financial Proposals’ preliminary evaluation by determining the presence or absence of the required documents using “pass/fail” criterion. During the said preliminary evaluation and after checking the sufficiency of the required documents as regards its presence or absence, the SBAC declared the bids of the 2 bidders as “passed” with respect to their Financial Proposals, and were considered for the detailed evaluation and comparison of bids. Table below shows the ranking and bid amounts of the 2 bidders (as read):

BIDDERS	BID AMOUNT (AS READ)	RANKING
NERA Philippines, Inc./ R.D. Policarpio & Co., Inc./Livan Trade Corporation (Consortium)	PhP994,469,488.59	1
Net Pacific, Inc./ComClark Network and Technology Corporation/Trends and Technologies, Inc. (Joint Venture)	PhP1,025,988,195.75	2

WHEREAS, on 25 to 29 March 2021, the SBAC TWG conducted the detailed evaluation and verification of the bids of the aforementioned 2 bidders whose Technical and Financial Proposals were rated “passed” during the preliminary evaluation, to determine the bidder with the Lowest Calculated Bid (LCB) in accordance with Section 32 of the Revised Implementing Rules and Regulations (RIRR) of R.A. 9184 and Clause 19 of the ITB. After the said detailed bid evaluation, the bid of NERA Philippines, Inc./ R.D. Policarpio & Co., Inc./Livan Trade Corporation (Consortium) was rated “failed” due to the absence of the required document or non-compliance with the requirements provided under the bidding documents for the project, and RIRR of R.A. 9184, to wit:

REQUIREMENT	NON-COMPLIANCE
The Cash Flow and Payment Schedule as provided in Clause 7.2.1 - Payment Method under the Bidding Documents for the Project.	<ul style="list-style-type: none"> The bidder failed to show the deductions on the Retention Fee and Recoupment Fee in its submitted Cashflow and Payment Schedule. <i>[This is in violation of Clause</i>

<p>Clause 5.2 of the Instructions to Bidders and Bid Data Sheet specifies the requirement for SLCC for the Project, to wit:</p> <p>I. The Bidder should be able to show a <u>Design Contract</u> for a project, within the last ten years, of at least 50% of the ABC (PhP625,000,000.00) or at least 2 Design Contracts for projects, within the last ten years, with an aggregate total of at least 50% of the ABC (PhP625,000,000.00) involving any or a combination of the following:</p> <ol style="list-style-type: none"> 1. Design of Laying down of an aggregate of 25 kms of Fiber Optic Cable with Equipment; 2. Design of Optical Transport Network; 3. Design of ICT Network and Telecommunications Facilities. <p style="text-align: center;">AND</p> <p>II. The Bidder should be able to present a <u>Civil Works Contract</u> for a project within the last ten years, of at least 50% of the ABC (PhP625,000,000.00) or at least 2 Civil Works Contract within the last ten years, with an aggregate total of at least 50% of the ABC (PhP625,000,000.00) involving any or a combination of the following:</p> <ol style="list-style-type: none"> 1. Laying down of an aggregate of 25 kms of Fiber Optic Cables; 2. Civil Works of roads with provision for underground electrical power or telecom utilities or installation of underground electrical power or telecom underground utilities. <p style="text-align: center;">Or, in lieu of I and II:</p> <p>III. <u>Design and Build Contract</u> for a</p>	<p><i>7.2.1 – Payment Method under Vol. 2 of the Bidding Documents for the Project.]</i></p> <ul style="list-style-type: none"> • The bidder failed to comply with the requirement for Single Largest and Completed Contracts (SLCC). The bidder submitted two (2) Civil Works Contracts with an aggregate amount of less than 50% of the ABC, and three (3) Design Contracts for projects with an aggregate amount of less than 50% of the ABC. <p>Further, the bidder submitted/attached a Certificate of Completion and Preliminary Acceptance for its submitted SLCC, instead of the required Certificate of Final Acceptance.</p> <p><i>[The above non-compliance is in violation of Clause 5.2 of the Instructions to Bidders (ITB) and BDS].</i></p>
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<p>project, within the last ten years of at least 50% of the ABC (PhP625,000,000.00) or at least 2 Design and Build Contracts with an aggregate of 50% of the ABC, involving any or a combination of the following:</p> <ol style="list-style-type: none"> 1. Laying down of an aggregate of 25 kms of Fiber Optic Cable with Equipment; 2. Optical Transport Network; 3. ICT Network and Telecommunications Facilities 4. Civil Works of roads with provision for underground electrical power or telecom utilities or installation of underground electrical power or telecom underground utilities. 	
<p>Clause 10.4 of the Bid Data Sheet and Clause 3.2, Section 2 of the Vol. 2 Bidding Documents of the Project requires a Project Manager for the Project with the following qualifications:</p> <p><u>Preferably a licensed Electronics and Communications Engineer</u></p> <ul style="list-style-type: none"> • With at least three (3) years of experience in the design, engineering, installation, testing, commissioning, operation, and maintenance of any or combination of the following: <ul style="list-style-type: none"> -Telecommunications infrastructure; -Fiber optics and/or optical transport network system; -Network Management System; -IP/MPLS network and Network Security System. • With at least two (2) years of experience in the implementation of underground utilities and/or support facilities of a 	<ul style="list-style-type: none"> • The bidder failed to submit the required work experience of the nominated Project Manager. The Curriculum Vitae (CV) of the nominated Project Manager merely indicates the titles of the projects claimed to be undertaken by the Project Manager, the duration of the projects (i.e., start and end dates) and the positions of the nominated Project Manager in those projects are not provided. • The bidder failed to submit the required work experience of its one (1) nominated Senior Telecom Engineer. The submitted work experience for the nominated 1 Senior Telecom Engineer is the work experience as Project Manager. • The work experience of one (1) nominated Senior Telecom Engineer is only 1.3 year, which is less than the required 3 years of experience for Senior Telecom Engineer. • The bidder failed to submit the required competency requirement of its two (2) nominated Senior Telecom Engineer. <i>[The above non-compliance is in violation of Clause 10.4 of BDS and Clause 3.2,</i>

<p>telecommunications network;</p> <ul style="list-style-type: none"> • With at least three (3) years of managerial experience in the build and/or O&M of telecommunications infrastructure; <p><u>Bidder must submit proofs (Resume, Licenses, Certificates, etc.).</u></p>	<p><i>Section 2 of the Vol. 2 Bidding Documents of the Project].</i></p>
<p>Vol. 2 Section II. Minimum Performance Specifications and Parameters of the Bidding Documents for the Project</p>	<ul style="list-style-type: none"> • Failed to comply with the Technical Specifications requirements, to wit: <ul style="list-style-type: none"> - Markings for 144- and 48-core FOC; - Fiber type and Pigtail of proposed FOC; - NMS proposal has no guarantee of integration and workability; - Out-of-Band Connectivity Service is excluded; - Printing of Project/Design Documents is "as needed", subject to Job Change Order; - The bidder has no clear responsibility for the transportation/distribution of spares; - The bidder excluded supply and installation of DC power system; - The bidder stated that DICT shall be responsible for transporting equipment to other locations; - The bidder stated that it will apply separate charging for onsite support; and - The bidder stated that DICT shall create problem (support) tickets. <p><i>[The above non-compliance is in violation of Vol. 2 Section II. Minimum Performance Specifications and Parameters of the Bidding Documents for the Project].</i></p>
<p>Clause 2.4.3 of Vol. 2 of the Bidding Documents for the Project requires that the winning bidder must handle the APNIC application, processing, securing, and sourcing out IP Address Version 4 & 6 (IPv4 & IPv6) for IPv4 Addresses /22 (or equivalent) one thousand twenty-four (1,024) Public IP</p>	<ul style="list-style-type: none"> • In the submitted Preliminary Conceptual Design Plans, the bidder failed to state IPV4,IPV6, and ASN. The bidder also stated that APNIC requirements are subject to APNIC approval. If APNIC does not approve the IPV4 addresses, this poses a risk to the project as the whole government connected to NBP will need to

addresses and IPv6 Addresses /32 sixteen million seven hundred seventy-seven thousand two hundred sixteen (16,777,216) of /56 subnets Public IP addresses and an Autonomous System Number (ASN).	migrate to IPV6. <i>[in violation of Clause 2.4.3 of Vol. 2 of the Bidding Documents for the Project.]</i>
Clause 2.4.3 of Vol. 2 of the Bidding Documents for the Project requires that the Winning Bidder must handle the APNIC application, processing, securing, and sourcing out IP Address Version 4 & 6 (IPv4 & IPv6) for IPv4 Addresses /22 (or equivalent) one thousand twenty-four (1,024) Public IP addresses and IPv6 Addresses /32 sixteen million seven hundred seventy-seven thousand two hundred sixteen (16,777,216) of /56 subnets Public IP addresses and an Autonomous System Number (ASN).	<ul style="list-style-type: none"> Under the Component 4, the bidder failed to state APNIC, ASN, and IP address which is subject to APNIC approval. If APNIC does not approve the IPV4 addresses, this poses a risk to the project as the whole government connected to NBP will need to migrate to IPV6, <i>[in violation of Clause 2.4.3 of Vol. 2 of the Bidding Documents for the Project]</i>.

Whereas, further, after the said detailed bid evaluation, the bid of Net Pacific, Inc./ComClark Network and Technology Corporation/Trends and Technologies, Inc. (Joint Venture) duly remained, found to be compliant with the requirements of the Bid Documents and was rated “passed”, and the Joint Venture forthwith determined to be the bidder with the Lowest Calculated Bid (LCB) who shall undergo the post-qualification. Table below shows the bid amount of the said Joint Venture (as calculated):

BIDDER	BID AMOUNT (AS CALCULATED)
Net Pacific, Inc./ComClark Network and Technology Corporation/Trends and Technologies, Inc. (Joint Venture)	PhP1,025,988,195.77

WHEREAS, based on the above results of the detailed bid evaluation conducted by SBAC TWG, the SBAC found **Net Pacific, Inc./ComClark Network and Technology Corporation/Trends and Technologies, Inc. (Joint Venture)** as the bidder with the LCB who shall be subjected to the Post-Qualification process pursuant to Section 34 of the RIRR of R.A. 9184;

NOW, THEREFORE, foregoing considered and after careful evaluation and thorough deliberation of the bids submitted for the Project, we, the Members of the Special Bids and Awards Committee (SBAC) for NFB – Phase 1, hereby **RESOLVE** as it is hereby **RESOLVED**

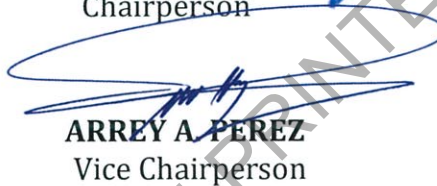
to recommend the following:

1. To declare **Net Pacific, Inc./ComClark Network and Technology Corporation/Trends and Technologies, Inc. (Joint Venture)** as the **bidder with the Lowest Calculated Bid (LCB)** for the **Contract for Design, Build, and Establishment of the National Fiber Backbone - Phase 1**; and
2. To conduct Post-Qualification on **Net Pacific, Inc./ComClark Network and Technology Corporation/Trends and Technologies, Inc. (Joint Venture)**, being the bidder with LCB.

RESOLVED, at the BCDA Corporate Center Office, this 30th day of March 2021.

SPECIAL BIDS AND AWARDS COMMITTEE (SBAC) FOR NFB – PHASE 1


AILEEN ANUNCIACION R. ZOSA
Chairperson

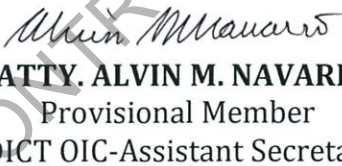

ARREY A. PEREZ
Vice Chairperson


ENGR. RICHARD BRIAN M. CEPE
Member


ATTY. GISELA Z. KALALO
Member

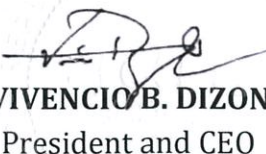

ENGR. RYAN PAUL S. GALURA
Member


VIRGIL M. ALVAREZ
SBAC Provisional Member


ATTY. ALVIN M. NAVARRO
Provisional Member
DICT OIC-Assistant Secretary


LEO CIPRIANO L. URBIZTONDO
Alternate Provisional Member
DICT Director

Approved by:


VIVENCIO B. DIZON
President and CEO



SBAC – National Fiber Backbone Phase 1



SBAC – NFBP12021 – 0009

BAC Resolution no. 04 – Declaration of LCB for the Design, Build, and Establishment of National Fiber Backbone – Phase 1
March 2021 /Version 1

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