



Republic of the Philippines
DEPARTMENT OF HEALTH
Special Concerns and Public-Private Partnership Cluster



**FOURTH TECHNICAL WORKING GROUP MEETING FOR THE
PROCUREMENT OF THE PRIVATE PARTNER OF THE DIALYSIS CENTER
PUBLIC-PRIVATE PARTNERSHIP PROJECT FOR THE RENAL CENTER
FACILITY OF THE BAGUIO GENERAL HOSPITAL AND MEDICAL CENTER**

I. MEETING SUMMARY

VENUE	SCT Conference Room (Cisco WebEx)	ADDRESS	Department of Health Central Office
DATE	3 May 2024	TIME	9:00 AM - 12:00 PM
Attendance	Name	Position	Office
	1. Atty. Veronica Zandara De Jesus-Sowaken 2. Dr. Janice Z. Bugtong 3. Ms. Jennifer Valenzuela 4. Ms. Valissa Grace Zambrano 5. Dr. Joel B. Bongotan 6. Mr. Teofilo Rivera Jr. 7. Dr. Frederick Mars Untalan 8. Ms. Shyla Mae M. Cadangen	Chief Administrative Officer, TWG Chairperson OIC Director III Development Management Officer IV Administrative Officer V Medical Specialist III Chief Health Program Officer Medical Specialist IV/ President BGHMC Employees Organization Administrative Officer II	Cordillera Administrative Region - Center for Health Development (CAR-CHD) CAR CHD CAR CHD Baguio General Hospital and Medical Center (BGHMC) BGHMC BGHMC BGHMC BGHMC

	<p>9. Ms. Consolacion H. Ramos</p> <p>10. Engr. Robert Angelo V. Lim</p> <p>11. Mr. Acmali R. Sangcopan</p> <p>12. Engr. Gian Carlyle H. Ramos</p> <p>13. Mr. Raymond Marcoso</p> <p>14. Atty. Dome Myrll Cabias</p> <p>15. Ms. Gianna C. Capacia</p> <p>16. Mr. Jhoel G. Jorda</p>	<p>Supervising Health Program Officer</p> <p>Supervising Health Program Officer</p> <p>Financial Analyst II</p> <p>Project Development Officer I</p> <p>Senior Health Program Officer</p> <p>Attorney III</p> <p>Project Development Officer II</p> <p>Project Development Officer</p>	<p>Special Concerns and Public-Private Partnership Cluster (SC-PPPC)</p> <p>SC-Public-Private Partnership for Health (SC-PPPC-PPPH)</p> <p>SC-PPPC-PPPH</p> <p>SC-PPPC-PPPH</p> <p>SC-PPPC</p> <p>Public-Private Partnership Center (PPPC)</p> <p>PPPC</p> <p>PPPC</p>
AGENDA	<p>1. Review of the 3rd Technical Working Group Meeting Minutes</p> <p>2. Discussion on the following:</p> <ul style="list-style-type: none"> a. Pre-Bid Conference and One-on-One Meeng Key Agreements b. Supplemental Bid Bulletin (SBB) concerning the amendments to Instruction to Bidders (ITB) c. Review of Updated Minimum Performance Standards and Specifications (MPSS) and Contract for Concession Agreement (CA) <p>3 Adjustment on the Timelines of the Project</p> <p>4. Other Matters</p> <p>5. Presentation of the Key Agreements</p>		
Attachment/s	<p>1. Attendance Sheet</p> <p>2. Group Photos</p> <p>3. Adjusted Timeline</p>		

II. MEETING DISCUSSION

TOPIC	DISCUSSION	/ AGREEMENTS / RECOMMENDATIONS
Preliminaries	Atty. Sowaken, Chairperson of the TWG, opened the 3rd Technical Working Group (TWG) Meeting, presided over the meeting and oversaw the establishment of the quorum by acknowledging all the participants.	
Review of the Third (3rd) TWG Minutes of Meeting	<p>Engr. Lim presented the key agreements of the 3rd TWG Minutes of the Meeting for approval of the TWG.</p> <ul style="list-style-type: none"> ● Atty. Sowaken further delved into the key agreements and sought updates on the items mentioned. 	<ul style="list-style-type: none"> ● Atty. Sowaken recommended changing the signatory of the 3rd TWG Meeting to ARD Janice Bugtong. ● Engr. Lim clarified that all items outlined in the key agreements of the 3rd TWG, including updates to the Minimum Performance and Standards Specification (MPSS) and Concession Agreement (CA), would be addressed throughout the agenda of the 4th TWG meeting. ● BGHMC motioned to approve the minutes of the meeting, which was seconded by ARD Bugtong.
Pre-Bid Conference and One-on-One Meetings Key Agreements	<p>Engr. Lim presented the Open Forum discussion of the Post Activity Report of the Pre-Bid Conference held last April 17, 2024.</p> <ul style="list-style-type: none"> ● Atty. Sowaken sought clarification on the final agreement regarding the PCAB license requirement for the contractor. ● Engr. Lim asked for clarification regarding the legal framework to be followed in developing and enhancing the MPSS and 	<ul style="list-style-type: none"> ● Engr. Lim clarified by explaining that the BGHMC with SC-PPPC held a post-meeting discussion on April 18, 2024, part of the agreement was to downgrade the category from Large A, Category AA, to Medium B, Category A. ● Ms. Capacia clarified that the project's timeline and milestones would still follow

	<p>the CA. This project was approved within the scope of the 2022 Revised IRR and BOT Law, while the transitory provision of the PPP code and its IRR is in effect.</p> <ul style="list-style-type: none"> Atty. Sowaken proposed incorporating a provision for Department of Trade and Industry (DTI) accredited companies in the Supplemental Bid Bulletin (SBB). 	<p>the BOT Law. However, the MPSS and CA would follow the PPP code and its IRR.</p> <ul style="list-style-type: none"> Ms. Capacia affirmed the suggestion by including the provisions mentioned on the SBB for the Instructions to Bidders about allowing companies with sole proprietorship to bid on the project. Atty. Sowaken recommended focusing the agenda on the crucial items in the MPSS and CA. Ms. Capacia agreed to the suggestion and also pointed out that the provisions that will be included in the SBB should be discussed first before proceeding to other agendas.
Supplemental Bid Bulletin concerning the amendments to Instruction to Bidders	<p>Ms. Capacia presented the revisions needed in the Instruction to Bidders (ITB) for the Supplemental Bid Bulletin (SBB) which shall be approved through an SBAC resolution.</p> <ul style="list-style-type: none"> Ms. Capacia mentioned that during the Pre-Bid Conference while the initial requirement for hemodialysis (HD) machines was set at thirty (30), one of the bidders proposed reducing it to fifteen (15) HD machines. Atty. Sowaken asked if the due diligence process of the SBAC and TWG, which was similar to post-qualification activities under RA 9184, could be shown in the product demo. 	<ul style="list-style-type: none"> Engr. Lim clarified that the revisions for this provision were already in the draft SBB and would be presented later for the TWG's approval. Ms. Capacia stated that a product demo was not feasible in the conduct of PPPs as this may lead to biased decision-making of the SBAC. The project execution plan as part of the technical proposal presented by the bidder, would automatically contain specifications for the supplies to be procured, including the

equipment. These parameters would be essential components of the concession agreement which will be evaluated accordingly. Failure to comply would result in penalties for the bidder. She clarified that Site visits together with the Product Demo should be part of the due diligence of the SBAC and the TWG, thus it cannot be included in the ITB.

- Atty. Sowaken sought clarification if they would allow a double nomination for the contractors or if it would be at the discretion of the SBAC.
- Engr. Lim clarified that based on the ITB issued, we were allowed to nominate one (1) contractor only. Engr. Lim added that as of now, there were no further discussions with the SBAC regarding this matter at present.
- Ms. Capacia discussed the adjusted draft timelines of the project of BGHMC.
- Engr. Lim requested a copy of the adjusted draft timelines presentation.
- Ms. Gianna underscored the need for urgency on the part of the DOH as finalizing the contract would only take ten (10) days upon the receipt of the final comments as per Section 80.4 of the PPP Code and its IRR.
- Engr. Lim replied that the Secretariat would oversee the document movement under the supervision of Usec. Laxamana in expediting and prioritizing approval, ensuring compliance with the PPP code and its IRR. Additionally, he mentioned that one contributing factor to delays was the review of documents by the Legal Service prior to forwarding them to the Office of the Secretary.
- Engr. Lim added that Usec. Laxamana will be briefed on the urgency of this matter and also the updates on the adjusted timelines.
- Ms. Capacia suggested involving the DOH's Legal

		<p>Service in the approval process of documents such as the CA's initial release to expedite the process.</p> <ul style="list-style-type: none"> Engr. Lim raised queries on whether the BGHMC was amenable to the adjusted timelines presented as most of the documents for approval would be coming from them. Ms. Ramos raised queries regarding the adjusted timelines which prolonged the activities and the project itself and how the secretariat was going to relay this information to Usec. Laxamana. Engr. Lim added that we needed to expedite the process, as Dr. Untalan mentioned. Engr. Lim suggested indicating on the timelines what items could still be adjusted to allow flexibility and the major items that could not be adjusted further based on the specified provisions of the PPP Code and its IRR. <p>Engr. Lim discussed the key agreements at the Post-Meeting of the Pre-Bid Conference, which was held on April 18, 2024.</p> <ul style="list-style-type: none"> Atty. Sowaken inquired if it was possible to increase the number of the TWG members. Ms. Ramos proposed implementing timelines for incorporating all comments and suggestions on the MPSS and CA, aiming to expedite the processes.
		<ul style="list-style-type: none"> Dr. Untalan responded, suggesting the possibility of further expediting the project, given that it is already overdue based on the original timeline. Ms. Capacia acknowledged in Engr. Lim suggested and revised the timeline before presenting it to the Special Bids and Awards Committee (SBAC). Engr. Lim suggested that, for instance, the ARD had a staff under her that could be utilized, and she could review such documents. In addition, the TWG should be noted to limit the persons involved in the project for confidentiality reasons. Atty. Sowaken affirmed the suggestion on timelines for the incorporation of all the comments and suggestions.

	<ul style="list-style-type: none"> Engr. Lim queried the incorporation of comments and suggestions on the MPSS and CA, suggesting that BGHMC be in charge of consolidation instead of the secretariat. He emphasized the challenge faced by the secretariat due to the lack of technical experts. 	<ul style="list-style-type: none"> She further agreed with the suggestion of Engr. Lim on the incorporation of comments and suggestions of the MPSS and CA.
Review of Updated Minimum Performance Standards and Specifications (MPSS) and Contract for Concession Agreement (CA)	<p>Engr. Lim discussed the Minimum Performance Standards and Specifications (MPSS) and Contract for Concession Agreement (CA) comments and suggestions.</p> <ul style="list-style-type: none"> Engr. Lim presented the comments on the MPSS for the Services, and he further mentioned the incorrect information regarding the ratio of HD machines to patients, and requested to include the policy issuance of DOH on the matter. Engr. Lim inquired about the existing method for measuring Key Performance Indicators (KPIs), while Ms. Capacia echoed similar concerns. Additionally, she suggested that BGHMC create a table presentation to establish clearer guidelines and monitoring procedures for these indicators. <p>Engr. Lim presented a comparative report on waste management practices at BGHMC, illustrating the transformations from previous methods to current ones.</p> <ul style="list-style-type: none"> Atty. Sowaken requested clarification on the date by which BGHMC will commit to incorporating all comments and suggestions discussed during the meeting. Atty. Sowaken advised submitting the MPSS and CA on the specified date and conducting an ad referendum if required. 	<ul style="list-style-type: none"> Ms. Capacia proposed that BGHMC establish a table outlining major and non-major equipment, which would be crucial for operational purposes and serve as a foundation for technological provision Dr. Bongotan acknowledged the comments of the secretariat and will revise accordingly. Mr. Rivera Jr. acknowledged all the inputs and suggestions on the KPI monitoring.
		<ul style="list-style-type: none"> Mr. Rivera committed to incorporating all comments by May 8, 2024. Dr. Untalan agreed on the suggestion for a referendum and to do internal meetings if necessary.

	<ul style="list-style-type: none"> Ms. Capacia reminded the SBAC resolution for the SBB and other agreements to be accomplished by the secretariat. Ms. Capacia requested the secretariat to provide copies of the 3rd TWG minutes of the meeting, PAR, Minutes of the Post Meeting of Pre-Bid Conference, and the draft SBB, including the Word format of the SBB drafted in February 2024. <p>Engr. Lim then presented the draft SBB on the bid bulletin no. 2 based on the earlier discussion.</p> <ul style="list-style-type: none"> Atty. Sowaken suggested editing the documents in real-time to hasten the process for the project tender documents. Engr. Lim proposed organizing a focus group discussion or a write shop to expedite the completion of the MPSS and CA. The Secretariat would finalize the schedule for this proposal. 	<ul style="list-style-type: none"> Mr. Rivera also concurred with Atty. Sowaken's suggestion. In addition to the aforementioned actions, BGHMC will also do internal meetings. Engr. Lim acknowledges this and commits to provide the said resolution. Part of the agreement is to accomplish the MPSS by May 8, 2024, and the CA to be accomplished by May 10, 2024. Atty. Sowaken affirmed the proposal for the focused group discussion.
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III. KEY AGREEMENTS

TIMELINE	TOPIC	RESPONSIBLE OFFICE/ PERSON
Immediate	To include the provisions on the SBB for the Instructions to Bidders about allowing companies with DTI registrations as sole proprietors to bid on the project.	Secretariat
Immediate	To provide a copy of the draft project timeline with the indication on the timelines on the items that could still be adjusted to allow flexibility, and indication of the major items that could not be adjusted further.	PPPC

Immediate	To provide the Legal Service (LS) of DOH with the necessary documents for review after the finalized draft of CA and MPSS.	Secretariat
Immediate	To consolidate comments on the MPSS and CA	TWG /Secretariat
For further consideration	To organize a focus group discussion or a write shop to expedite the completion of the MPSS and CA.	Secretariat
Immediate	To provide a sample of detailed table for KPI's	PPPC
Immediate	To develop the Schedules needed in the CA	BGHMC
Immediate	To provide copies of the 3rd TWG minutes of the meeting, PAR, Minutes of the Post Meeting of Pre-Bid Conference, and the draft SBB, including the Word format of the SBB drafted in February 2024.	Secretariat
May 8, 2024	To finalize all comments and suggestions in the draft MPSS	BGHMC
May 10, 2024	To finalize all comments and suggestions in the draft CA	BGHMC
May 14, 2024	Next TWG Meeting scheduled	

Prepared by:

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