

**BIDS & AWARDS COMMITTEE (BAC) – INFORMATION
TECHNOLOGY RESOURCES B (ITR B)
RESOLUTION NO. 217 S. 2024**

RESOLUTION RECOMMENDING TO THE HEAD OF THE PROCURING ENTITY THE AWARD OF THE CONTRACT ON THE BIDDING FOR THE PROCUREMENT OF INTEGRATED SECURITY SUITE UNDER INVITATION TO BID NO. ISS 2024-26-ITRB TO MVI-eBIZ JOINT VENTURE AS THE BIDDER WITH THE SINGLE CALCULATED RESPONSIVE BID

WHEREAS, based on the approved Purchase Request (PR) No. 24-0042-PB, the Information Technology Management Department (ITMD) requested for the Procurement of Integrated Security Suite through Competitive Bidding with an Approved Budget for the Contract (ABC) of One Hundred Seven Million One Hundred Sixty-Nine Thousand Three Hundred Pesos (P107,169,300.00) which is included in the 4th Batch of CY 2024 Annual Procurement Plan and 16th Batch of Amendment of Annual Procurement Plan (APP) for CY 2024;

WHEREAS, on 23 August 2024, the Bidding Documents and the Invitation to Bid (IB) No. ISS 2024-26-ITRB for the subject procurement were posted at the Philippine Government Electronic Procurement System (PhilGEPS), PhilHealth website and conspicuous places located in the PhilHealth Head Office in compliance with Section 21 of the 2016 Revised IRR of Republic Act No. 9184;

WHEREAS, on 30 August 2024, the Pre-Bid Conference for the subject procurement was conducted to address the inquiries and clarifications raised by the prospective bidders. Accordingly, the Bid Bulletin No. 01 was issued on 11 September 2024 stating the change of schedule for the obtainment, submission and opening of bids from 11 September 2024 to 18 September 2024;

WHEREAS, in response to the posted procurement opportunity, the following two (2) bidders have obtained the bidding documents:

1. MVI-eBIZ Joint Venture; and
2. VSTECS Phils. Inc. & CT Link Systems, Inc. (Joint Venture)

WHEREAS, the two (2) bidders have timely submitted their respective bids before the deadline for submission of bids on 18 September 2024;

WHEREAS, during the opening and preliminary examination of bids on 18 September 2024, VSTECS Phils. Inc. & CT Link Systems, Inc. (Joint Venture) was declared ineligible for failure to comply with one of the technical eligibility requirements particularly in the Single Largest Completed Contract (SLCC) due to the following reasons:

- a. The date of completion in the statement of the SLCC is incorrect where it is stated March 07, 2025;
- b. CT Link Systems, Inc. submitted a Purchase Order, Billing Invoice and Sales Invoice as supporting documents to the SLCC. However, the amount reflected in the Sales Invoice as of the required supporting documents is insufficient and does not correspond to the required fifty percent (50%) of the ABC of the subject project.

- c. Billing Invoice was not considered as required document to be included in the statement identifying the bidder's SLCC which are the information on the End-User's Acceptance or Official Receipt or Sales Invoice as clearly stated in the Bidding Documents for the subject project.

WHEREAS, VSTECs Phils. Inc. & CT Link Systems, Inc. (Joint Venture) has manifested that they will file for a Motion for Reconsideration (MR) and they were given with the corresponding advice that it has three (3) calendar days or until 21 September 2024 within which to file its MR, in accordance with R.A. 9184;

WHEREAS, on the same date, the detailed bid evaluation was conducted finding MVI-eBIZ Joint Venture to have passed the financial requirements with a bid of Ninety-Nine Million Nine Hundred Ninety-Eight Thousand Eight Hundred Eighty-Eight Pesos (P99,998,888.00) and was declared as the bidder with the Single Calculated Bid (SCB). Subsequently, MVI-eBIZ Joint Venture was subjected to post-qualification process;

WHEREAS, in a BAC-ITR B meeting held on 25 September 2024, the Secretariat for the Bids and Awards Committees (SBAC) informed the Committee that VSTECs Phils. Inc. & CT Link Systems, Inc. (Joint Venture) submitted its MR dated 20 September 2024 which was received on the same date via electronic mail stating the pertinent portions, to wit:

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"B. Grounds for Reconsideration

Billing Invoice is the current version of the Official Receipt

1. *Section VIII(I)(c) of Bidding Documents requires the bidder to submit a statement of the bidder's Single Largest Completed Contract (SLCC) which shall include the following: a. End-user's Acceptance; or b. Official Receipt/s; or c. Sales Invoice/s).*
2. *One of the key reforms introduced under Republic Act No. 11976 or the "Ease of Paying Act", which took effect on 22 January 2024 (the "EOPT Law"), is the change in invoicing requirements in relation to the sale of services. Particularly, the law removed the requirement of Official Receipt (OR) as the primary document for sales of services and replaced it with the "Invoice".*
3. *Section 6(A)(4) of Bureau of Internal Revenue ("BIR") Revenue Regulations ("RR") No. 7-2024 (the "BIR RR No. 7-2024") provides that invoice are primary evidence for both sales of goods and services. Consistent with market practice, sales invoices are used for the sales of goods, and billing invoices for the sale of services.*
4. *Under BIR RR No. 7-2024, an invoice is defined as "a written account evidencing the sale of goods and/or services issued to customers in the ordinary course of trade or business. This includes Sales Invoice, Commercial Invoice, Cash Invoice, Charge/Credit Invoice, Service Invoice, or Miscellaneous Invoice."*
5. *Section 2 of BIR RR No. 11-2024 provides that taxpayers may convert and use the remaining Official Receipts as Invoice. Taxpayers are allowed to strike through the word "Official Receipt" on the face of the manual and loose leaf printed receipt and stamp "Invoice", "Cash Invoice", "Charge Invoice", "Credit Invoice", "Billing Invoice", "Service Invoice", or any name describing the transaction, and to be issued as primary invoice to its buyer/purchaser until fully consumed.*
6. *Based on the EOPT Law and the above regulations, "Billing Invoice" is the current equivalent of "Official Receipts" and is the current counterpart of Sales Invoice for the sale of services. The Billing Invoice serves as current proof of sale of services, aligned with the requirements of Section 237 of the NIRC.*
7. *The Billing Invoices which we have submitted and attached for your ease of reference comply with the relevant provisions of the NIRC as amended by the EOPT Law and compliant with Section 6(B) of BIR RR No. 7-2024.*
8. *Considering the nature of the transaction as discussed above, the submission of the Billing Invoices is compliant Section VIII(I)(c) of the Bidding Documents.*

Billing Invoice is akin to the Sales Invoice

9. *Even assuming arguendo that the "Billing Invoice" is not akin to the "Official Receipt", the form of the "Billing Invoice" is the same as the form of the "Sales Invoice" albeit the title.*
10. *The billing invoice in question follows the format and content required by NIRC. Section 237 of the NIRC requires all persons subject to an internal revenue tax shall, at the point of each sale and transfer of merchandise or for services rendered, issue duly registered sale or commercial invoices, showing the name, Taxpayer Identification Number, date of transaction, quantity, unit cost and description of merchandise or nature of service (the "Information")*
11. *A perusal of the Billing Invoice will show that the information required to be indicated under Section 237 of the NIRC is indicated therein. The Billing Invoice in question complies with the definition of a sales invoice.*
12. *Hence, the Billing Invoice in question should be nevertheless considered as and akin to a "Sales Invoice".*

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WHEREAS, the BAC-ITR B asked the Secretariat if they inquired with the Government Procurement Policy Board (GPPB) on the matter and Mr. Joseph Vergara apprised the Committee that he made a query to GPPB on 18 September 2024 through email if Billing Invoice is acceptable as a supporting document to the SLCC in lieu of a sales invoice and awaiting response if there is any update on the required supporting document/s for the SLCC;

WHEREAS, after careful review and due deliberation on the MR, the BAC-ITR B agreed that the Motion for Reconsideration filed by VSTECS Phils. Inc. & CT Link Systems, Inc. (Joint Venture) be denied based on the following grounds:

- The bidding documents for the subject procurement project, in accordance with the Government Procurement Policy Board (GPPB) Resolution No. 16-2020, expressly provides that the SLCC shall be supported by any one of the following: (i) end-user's acceptance, (ii) official receipt, or (iii) sales invoice.
- Accordingly, other documents such as a "Billing Invoice", cannot be a substitute for the official receipt or sales invoice to substantiate the SLCC.

WHEREAS, the BAC-ITR B resolved to deny the Motion for Reconsideration filed by VSTECS Phils. Inc. & CT Link Systems, Inc. (Joint Venture) for non-compliance with one of the technical eligibility requirements particularly in the Single Largest Completed Contract (SLCC);

WHEREAS, on 02 October 2024, the Notice of the resolution of BAC-ITR B to deny the MR was issued to VSTECS Phils. Inc. & CT Link Systems, Inc. (Joint Venture) with the corresponding advice that it has seven (7) calendar days or until 09 October 2024, within which to file its Protest on the resolution of the Committee, if there would be any, in accordance with R.A. 9184;

WHEREAS, the Technical Working Group-Information Technology Resources B (TWG-ITR B) conducted the post-qualification, evaluation and verification of the bid proposal and additional post-qualification requirements submitted by MVI-eBIZ Joint Venture and conducted a site visit and ocular inspection on 02 October 2024;

WHEREAS, on 10 October BAC-ITR B Meeting, the TWG and End-user requested for an extension of the post-qualification period from 07 October 2024 to 16 October 2024 due to the following reasons:

1. Further re-evaluation of the technical specifications due to the complexity of the project
2. Re-validate all the compliance of the bidder

WHEREAS, given the foregoing, the BAC-ITR B agreed that the request for extension of the post-qualification period be extended for nine (9) days or until 16 October 2024;

WHEREAS, on 28 October 2024 BAC-ITR B Meeting, the TWG-ITR B presented its post-qualification report thru its Chairperson, Atty. Roel S. Espera stating that after inspection and evaluation of the eligibility, technical, financial and additional post-qualification requirements submitted by MVI-eBIZ Joint Venture, it was found that the subject bid was "responsive" with all the requirements and criteria for post-qualification and the TWG has consequently recommended that the bidder be declared as **"POST-QUALIFIED"**;

WHEREAS, after due deliberation on the report and having determined that the bidder with the Single Calculated Bid passed all the criteria for post-qualification, the BAC-ITR B agreed with the recommendation of the TWG-ITR B to declare MVI-eBIZ Joint Venture as the bidder with the Single Calculated Responsive Bid (SCRB);

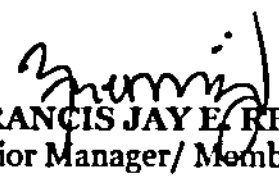
PREMISES CONSIDERED, the BAC-ITR B resolves, as it is hereby resolved, to recommend to the President and CEO, as the Head of the Procuring Entity, the award of the contract on the bidding for the Procurement of Integrated Security Suite with Invitation to Bid No. ISS 2024-26-ITRB to **MVI-eBIZ JOINT VENTURE** as the bidder with the Single Calculated Responsive Bid.

IT IS SO RESOLVED.

Signed this 28th day of October 2024 at Pasig City, Philippines.


ISRAEL FRANCIS A. PARGAS, M.D.
Senior Vice President/Chairperson

on Official Business
LEMUEL T. UNTALAN
Vice President/Vice-Chairperson



ATTY. FRANCIS JAY E. REMIGIO
Senior Manager/ Member


NADINE B. NAVARRO
Acting Senior Manager/Member


ALLAN M. DE VILLA
Acting Senior Manager / Member/End-User

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☒ APPROVED
☐ DISAPPROVED
☐ Others _____



EMMANUEL R. LEDESMA, JR.
President and Chief Executive Officer

Date Signed: 11/11/24

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