

**BIDS AND AWARDS COMMITTEE (BAC)****Resolution No. 2022-07-10****A RESOLUTION DECLARING SECOND FAILURE FOR THE BIDDING OF THE PROJECT "PROCUREMENT OF SUPPLY AND DELIVERY OF ONE (1) UNIT CROSSOVER UTILITY VEHICLE FOR DSWD FIELD OFFICE III"**

July 20, 2022

**WHEREAS**, the Department of Social Welfare and Development Field Office III Bids and Awards Committee advertised the project **PROCUREMENT OF SUPPLY AND DELIVERY OF ONE (1) UNIT CROSSOVER UTILITY VEHICLE FOR DSWD FIELD OFFICE III** with the Approved Budget for the Contract (ABC) amounting to: One Million Five Hundred Thousand Pesos (PHP1,500,000.00);

**WHEREAS**, such project having been posted for an Invitation to Bid in the DSWD FO III website, PhilGEPS and conspicuous places at the premises of the Department of Social Welfare and Development Field Office III continuously from June 24, 2022 to July 19, 2022;

**WHEREAS**, in response to the said advertisements, the herein below indicated the sole prospective bidder signified its intent to participate to herein described the purchase Bidding Document and the date indicated with corresponding Official Receipt number, to wit:

SERVICE PROVIDER	DATE OF PURCHASE	OR NO.	STATUS
TOYOTA SAN FERNANDO	7/14/2022	2465741	FAILED

**WHEREAS**, the said bidder submitted its bid on the scheduled Submission and Opening of Bids on July 19, 2022 by 12:00 NN;

**WHEREAS**, upon careful review and deliberation, the Bids and Awards Committee found that the documents submitted by the Service Provider resulted to the following findings:

TECHNICAL COMPONENTS			
NAME OF BIDDER	RATING	FINDINGS	LEGAL BASIS
TOYOTA SAN FERNANDO	FAILED	Checklist (a) - Failure to submit a current and updated PhilGEPS Platinum Registration and Membership.	GPPB Resolution No 15-2021

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**A RESOLUTION DECLARING SECOND FAILURE FOR THE BIDDING OF PROCUREMENT OF SUPPLY AND DELIVERY OF ONE (1) UNIT CROSSOVER UTILITY VEHICLE FOR DSWD FIELD OFFICE III**

DSWD Field Office III, Government Center, Maimpis, City of San Fernando, Pampanga, 2000 Philippines

Website: www.fo3.dswd.gov.ph Tel Nos.: (045) 961-2143

		Checklist (g) – Failure to submit Bidder's computation of NFCC or committed Line of Credit of Goods	Section 23.1(a) (viii) of the 2016 revised IRR of RA No.9184  GPPB Circular No. 04-2020
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**WHEREAS**, Government and Procurement Policy Board (GPPB) Resolution No. 15-2021 entitled *"Lifting the Suspension on the Implementation of the Mandatory Submission of PhilGEPS Certificate of Platinum Registration and Membership in Competitive Bidding and Limited Source Bidding"* clearly states that:

*"WHEREAS, in consideration of the foregoing, the GPPB-TSO, during the 8<sup>th</sup> Meeting of the GPPB held on 14 October 2021, recommended to the Board the following:*

*2. Approve the amendments in Section 8.5.2 of the 2016 revised IRR of RA 9184 and Items 4 and 6 of the Guidelines for the Use of the GoP-OMR to include the following additional caveat in the Platinum Certificate of Registration and Membership: (i) that for the purpose of updating the PhilGEPS Certificate of Platinum Registration and Membership, all Class "A" Eligibility Documents covered by Section 8.5.2 of the 2016 revised IRR of RA 9184 supporting the veracity, authenticity and validity of the Certificate shall remain current and updated, and that failure by the prospective bidder to update its PhilGEPS Certificate of Platinum Registration and Membership with the current and updated Class "A" Eligibility Documents covered by Section 8.5.2 of the 2016 revised IRR of RA 9184 shall result in the automatic suspension of the validity of its Certificate of Platinum Registration and Membership until such time that all of the expired Class "A" Eligibility Documents has been updated"*

**WHEREAS**, Section 8.5.2 of the 2016 Implementing Rules and Regulations explicitly states that:

*"All bidders shall upload and maintain in PhilGEPS a current and updated file of the following Class "A" eligibility documents under Sections 23.1(a) and 24.1 (a):*

- a) Registration Certificate;*
- b) Mayor's/Business Permit or its Equivalent Document;*
- c) Tax Clearance;*
- d) Philippine Contractors Accreditation Board (PCAB) license and registration;*  
*and*
- e) Audited Financial Statements...xxx"*

**WHEREAS**, after revisiting the Checklist in the Philippine Bidding Documents posted for the confirmation on its conformity with Section 8.5.2 of the same law and GPPB Resolution No. 15-2021, the Bids and Awards Committee opted not to proceed with the opening of Financial bid and thereafter, unanimously declared the project

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**"PROCUREMENT OF SUPPLY AND DELIVERY OF ONE (1) UNIT CROSSOVER UTILITY VEHICLE FOR DSWD FIELD OFFICE III" as "FAILED".**

**WHEREAS, Section 35.1 of the same law clearly provides for the grounds to declare the bidding a "FAILURE", to wit:**

*"xxx..*

*The BAC shall declare the bidding a failure when:*

- a) No bids are received;*
- b) All prospective bidders are declared ineligible;*
- c) All bids fail to comply with all the bid requirements of fail post-qualification, or, in the case of Consulting Services, there is no successful negotiation; or*
- d) The bidder with the LCRB, HRRB, SCRB or SRRB refuses, without justifiable cause, to accept the award of contract, and no award is made in accordance with Section 40 of the Act and this IRR...xxx"*

**WHEREAS,** in the mandatory review to ascertain the reason and factors contributing to the failure, the Bids and Awards Committee directed the BAC Secretariat to highlight the eligibility requirements set forth in RA 9184 and the lifting of the mandatory submission of valid and current PhilGEPS Registration Certification and Membership; present a sample on how to accomplish the technical specification at Pre-Bid Conference. The transmission will be added to the specification and thus, the end user will revise its Project Proposal and Purchase Request.

**WHEREAS,** In accordance with Section 53.1 of the 2016 IRR of RA 9184 which provides that "Two Failed Biddings. Where there has been failure of competitive bidding or Limited Source Bidding for the second time as provided in Section 35 of the Act and this IRR", the Bids and Awards Committee found fit to recommend that this procurement project shall be subjected to Negotiated Procurement – "TWO FAILED BIDDING" being most expedient, effective and economical modality given these circumstances;

**NOW, THEREFORE,** We, the Members of the Bids and Awards Committee, hereby **RESOLVE** as it is hereby **RESOLVED**:

- a. To declare a **SECOND FAILURE OF BIDDING** for the **PROCUREMENT OF SUPPLY AND DELIVERY OF ONE (1) UNIT CROSSOVER UTILITY VEHICLE FOR DSWD FIELD OFFICE III** in accordance with section **35.1 of the 2016 Implementing Rules and Regulations of Republic**

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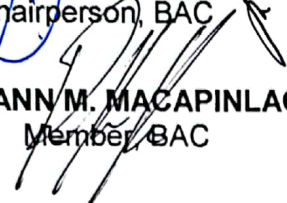
**Act No. 9184; and**


- b. To resort to a **Negotiated Procurement** as provided in Section 53.1 of the Revised IRR of RA 9184 and all applicable rules and regulations in accordance with law.

RESOLVED, this 20<sup>th</sup> of July 2022 at DSWD-Regional Office III.

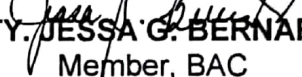
  
**VENUS F. REBULDELA**  
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Vice Chairperson, BAC

  
**RENANN M. MACAPINLAC**  
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**MARITES D. LIWANAG**  
Member, BAC

  
**ATTY. JESSA G. BERNARDO**  
Member, BAC

 ( ) Approved ( ) Disapproved

  
**MARITES M. MARISTELA, CESO III**  
Regional Director

(per Special Order No. 2479, Series of 2019)