

BIDS AND AWARDS COMMITTEE (BAC)

Resolution No. 2022-08-12

A RESOLUTION DECLARING THE FAILURE OF THE BIDDING OF THE PROJECT "PROCUREMENT OF SUPPLY AND DELIVERY OF ONE (1) UNIT CROSSOVER UTILITY VEHICLE FOR DSWD FIELD OFFICE III" UNDERTAKEN THROUGH NEGOTIATED PROCUREMENT – TWO FAILED BIDDING UNDER SECTION 53.1 OF IRR OF RA NO. 9184

August 31, 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, on July 20, 2022, the Bids and Awards Committee issued BAC Resolution No. 2022-07-10 declaring the **"SECOND FAILURE"** of bidding of herein subject procurement project;

WHEREAS, Section 53 of the 2016 Implementing Rules and Regulations of Republic Act No. 9184 clearly states that:

"Negotiated Procurement is a method of procurement of Goods, Infrastructure Projects and Consulting services, whereby the Procuring Entity directly negotiates a contract with a technically, legally and financially capable supplier, contractor of consultation in any of the following cases:

53.1 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. Xxx"

WHEREAS, the Secretariat was directed to facilitate the necessary documents, advertise and invite all accredited suppliers with known qualifications to participate therein;

WHEREAS, the Bids and Awards Committee conducted the Opening of Bids on August 19, 2022 under the modality: Negotiated Procurement – Two-Failed Bidding but failed to solicit prospective bidders to participate and submit bids;

WHEREAS, Section 35 of the 2016 Implementing Rules and Regulations of Republic Act No. 9184 states that:

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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

"Failure of Bidding

35.1 The BAC shall declare the bidding a failure when;

a) No bids are received;

xxx"

WHEREAS, the Bids and Awards Committee at Mandatory Review identified that one of the reasons for its failure was the charging of bidding document fee. All other terms and conditions were agreed to be retained;

WHEREFORE, the BAC RESOLVES as it is hereby RESOLVED, for the purposes of efficiency, expediency and economy, to recommend to the Head of the Procuring Entity the following;

1. To declare the project: **"PROCUREMENT OF SUPPLY AND DELIVERY OF ONE (1) UNIT CROSSOVER UTILITY VEHICLE FOR DSWD FIELD OFFICE III"** as **"FAILED "** pursuant to **Section 35 of the 2016 Implementing Rules and Regulations of Republic Act No. 9184;**
2. REPOST the project without need to charge bidding document fee;
3. The approval of the Head of the Procuring Entity (HoPE) of the Department of Social Welfare and Development Region III of the foregoing findings of the Committee.

RESOLVED, this 31st of August 2022 at DSWD-Regional Office III.

ARMONT C. PECINA
Chairperson, BAC

RENANN M. MACAPINLAC
Vice Chairperson, BAC

MARITES D. LIWANAG
Member, BAC

VILMA SERRANO
Member, BAC

PRISCILA C. TIOPENGCO
Member, BAC

Approved

Disapproved

VENUS F. REBULDELA
OIC – Regional Director / HOPE
(As per Special Order No. 2679, Series of 2022)

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