



BIDS AND AWARDS COMMITTEE
(CENTRAL OFFICE)

RESOLUTION NO. 08-2016

**RECOMMENDING THE APPROVAL OF THE AWARD OF CONTRACT TO THE
PHILIPPINE LONG DISTANCE TELEPHONE COMPANY FOR THE PROCUREMENT
OF DEDICATED INTERNET ACCESS SERVICES FOR TESDA TAGUIG COMPLEX -
FY 2016**

WHEREAS, the Bids and Awards Committee (BAC), as mandated by Republic Act No. 9184, otherwise known as the Government Procurement Reform Act, is the body tasked to post invitations to bid, to conduct pre-bid conferences, to determine the eligibility of prospective bidders, to receive and open bids, to conduct the evaluation of bids, to conduct post-qualification and to recommend award of contracts to the Head of the Procuring Entity;

WHEREAS, the Technical Education and Skills Development Authority (TESDA) intends to apply the sum of One Million Four Hundred Ninety Three Thousand Two Hundred Sixty Two Pesos and 08/100 (Php1,493,262.08) being the total Approved Budget for the Contract (ABC) for the procurement of Dedicated Internet Connection Access Services for TESDA Taguig Complex – FY 2016. Copies of the Terms of Reference (TOR) and Obligation Request (OBR) duly approved by the Director General are hereto attached as Annexes "A" and "B", respectively;

WHEREAS, the BAC upon receipt of the TOR for the procurement of Dedicated Internet Connection Access Services for TESDA Taguig Complex – FY 2016 convened on 02 March 2016 at 2:00 P.M. at the CSA Conference Room, 2nd Floor, TESDA Administration Building, Taguig City to conduct pre-procurement conference with the end-user's representative in accordance with Section 20 of the Revised Implementing Rules and Regulations of Republic Act No. 9184. A copy of the Minutes of the Meeting is hereto attached as Annex "C";

WHEREAS, pursuant to Section 21 of the Revised Implementing Rules and Regulations of Republic Act No. 9184, TESDA advertised on 07 March 2016 the Invitation to Bid for the procurement of Dedicated Internet Connection Access Services for TESDA Taguig Complex – FY 2016 in a newspaper of general circulation and posted the same in the PhilGEPS. Copies of which are hereto attached as Annexes "D" and "E", respectively;

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WHEREAS, responding to the abovementioned Invitation to Bid, three (3) prospective bidders signified their interest to participate in said bidding process by purchasing bidding documents, namely: 1) Eastern Telecommunications Philippines, Incorporated, 2) Innove Communications, Incorporated, and 3) Philippine Long Distance Telephone Company. Copies of the official receipts for the purchase of bidding documents are hereto attached as Annexes "F", "G", and "H", respectively;

WHEREAS, the BAC in compliance also with the directive of the Director General invited several observers registered with PhilGEPS to witness the bidding activities particularly on the procurement of Dedicated Internet Connection Access Services for TESDA Taguig Complex – FY 2016 for purposes of transparency and good governance. Pursuant to Section 13 of Revised Implementing Rules and Regulations of Republic Act No. 9184, the BAC invited several observers to attend the pre-bid conference on 21 March 2016 and the bid opening on 15 April 2016. Copies of the letters to observers are hereto attached as Annexes "I", "J", "K", "L", "M" and "N", respectively;

WHEREAS, the pre-bid conference was held on 21 March 2016 at 2:00 P.M. at the CSA Conference Room located at 2nd Floor of TESDA Administration Building in Taguig City. A copy of the Minutes of the Meeting is hereto attached as Annex "O";

WHEREAS, the issues and concerns of the bidders present during the pre-bid conference were already addressed to by the BAC through the issuance of Bid Bulletin No. 01 dated 21 March 2016. Copy of the foregoing bid bulletin is hereto attached as Annex "P";

WHEREAS, the bid opening was held on 15 April 2016 at 2:00 p.m. at the CSA Conference Room located at 2nd Floor of TESDA Administration Building in Taguig City. A copy of the Minutes of the Meeting is hereto attached as Annex "Q";

WHEREAS, only Philippine Long Distance Telephone Company passed the eligibility requirements pursuant to Sections 23 and 25 of the Revised Implementing Rules and Regulations of Republic Act No. 9184 while Eastern Telecommunications Philippines, Incorporated and Innove Communications, Incorporated both failed to submit the correct computation of their respective Net Financial Contracting Capacity (NFCC) as prescribed by the law. Their respective second envelopes containing the financial components of their bids were not opened. The bidders were given until 18 April 2016 within which to file their request for reconsideration pursuant to Section 55.1 of the Revised Implementing Rules and Regulations of Republic Act No. 9184. Copies of the Eligibility Requirements Checklist and Abstract of Bids are hereto attached as Annexes "R" and "S", respectively;

WHEREAS, Innove Communications, Incorporated filed its request for reconsideration on 18 April 2016. A copy of said request for reconsideration is hereto attached as Annex "T";

WHEREAS, the BAC denied the request for reconsideration filed by Innove Communications, Incorporated in its letter dated 19 April 2016. A copy of the letter

dated 19 April 2016 denying the request for reconsideration of Innove Communications, Incorporated is hereto attached as Annex "U";

WHEREAS, Eastern Telecommunications Philippines was given the opportunity to request for reconsideration until 18 April 2016. However, the period to file such request had lapsed and the BAC did not receive any request from Eastern Telecommunications Philippines;

WHEREAS, accordingly, a Technical Evaluation Group (TEG) was created to conduct a bid evaluation vis-à-vis agency requirements taking into consideration the completeness of the bid in terms of technical specifications and pricing and to verify/check the performance of the bidders relative to their previous contracts with the government and private entities as provided by Section 34 of Rule X (Post-Qualification) of the Revised Implementing Rules and Regulations of Republic Act No. 9184. A copy of the BAC Order No. 04, Series of 2016, issued on 21 March 2016 is hereto attached as Annex "V";

WHEREAS, pursuant to Section 34 of Rule X (Post-Qualification) of the Revised Implementing Rules and Regulations of Republic Act No. 9184, verification and validation of the bidder's legal documentary requirements must be made. As such, the Chairperson of the TEG issued a letter to the Accounts Receivable Monitoring Division of the Bureau Internal Revenue (BIR) for the validation of the tax clearance issued by said office to Philippine Long Distance Telephone Company. Copy of the said letter is hereto attached as Annex "W";

WHEREAS, the Bureau of Internal Revenue (BIR) issued its confirmation letter regarding the document submitted by Philippine Long Distance Telephone Company. Copy of the confirmation letter of the Accounts Receivable Monitoring Division of the Bureau of Internal Revenue (BIR) is hereto attached as Annex "X";

WHEREAS, upon careful examination, validation and verification of all the technical and financial proposals submitted by Philippine Long Distance Telephone Company, the TEG in its report found the bids offered by Philippine Long Distance Telephone Company to be compliant with the legal, technical and financial requirements set forth by the agency pursuant to Section 34 of Rule X (Post-Qualification) of the Revised Implementing Rules and Regulations of Republic Act No. 9184. A copy of the TEG report is hereto attached as Annex "Y";

WHEREAS, pursuant to Section 36 (b) of the Revised Implementing Rules and Regulations of Republic Act No. 9184, if after advertisement, more than one prospective bidder submits an LOI and/or applies for eligibility check, in accordance with the provisions of this IRR, but only one bidder meets the eligibility requirements or criteria, after which it submits a bid which is found to be responsive to the bidding requirements, the bid shall be considered a Single Calculated and Responsive Bid;

WHEREAS, Philippine Long Distance Telephone Company met all the eligibility requirements prescribed by the agency and its bid had been found to be responsive to the bidding requirements. Hence, the BAC finds the bid of Philippine Long Distance Telephone Company to be the Single Calculated and Responsive Bid;

NOW, THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED, to recommend the award of the contract to Philippine Long Distance Telephone Company for the procurement of Dedicated Internet Connection Access Services for TESDA Taguig Complex - FY 2016 in the total amount of **One Million Three Hundred Seventy Seven Thousand Six Hundred Pesos and 00/100 Pesos (Php 1,377,600.00)**.

Resolved this 20th day of May, 2016.


FRANCISCO B. JUCAR, JR.
BAC Chairperson


IMELDA B. TAGANAS
BAC Vice Chairperson


ATTY. IMELDA T. ONG
BAC Member


AVA HEIDI V. DELA TORRE
BAC Member


ANNABELLE T. QUIMBO
BAC Member

Approved (if less than 5 Million) Disapproved (if less than 5 Million)
 Endorsed to the TESDA Board (if more than 5 Million)


SEC. IRENE M. ISAAC
Director General