



BIDS AND AWARDS COMMITTEE
(CENTRAL OFFICE)

RESOLUTION NO. 06-2014

**DECLARING A FAILURE OF BIDDING FOR THE PROCUREMENT OF NEW
ELEVATOR UNITS FOR THE TESDA CENTRAL OFFICE ADMINISTRATION
BUILDING**

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 TESDA intends to apply the sum of Seven Million Four Hundred Ninety Nine Thousand Nine Hundred Eighty One Pesos and 24/100 Only (Php 7,499,981.24) being the total Approved Budget for the Contract (ABC) for the procurement of new elevator units for the TESDA Central Office Administration Building per Terms of Reference (TOR) duly approved by the Director General. A copy of the TOR is hereto attached as Annex "A";

WHEREAS, the BAC upon receipt of the TOR for the procurement of new elevator units for the TESDA Central Office Administration Building for CY 2014 convened on 14 April 2014 to conduct a 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 "B";

WHEREAS, pursuant to Section 21 of the Revised Implementing Rules and Regulations of Republic Act No. 9184, TESDA advertised on 23 April 2014 the Invitation to Bid for the procurement of new elevator units for the TESDA Central Office Administration Building for CY 2014 in a newspaper of general circulation and posted the same in the PhilGEPS on 23 April 2014. Copies of which are hereto attached as Annexes "C" and "D", respectively;

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) Mako Teknomecaniques, Inc.; 2) Elecol Engineering Equipment Supply and Services; and 3) Ma-An Construction Corporation. Copies of the official receipts for the purchase of bidding documents are hereto attached as Annexes "E", "F" and "G", respectively;

WHEREAS, the pre-bid conference was held on 05 May 2014 at 2:11 p.m. at the Legal Division Conference Room located at the 3rd Floor of the TESDA Administration Building in Taguig City. A copy of the Minutes of the Meeting is hereto attached as Annex "H";

page 1 of 2 pages

WHEREAS, the issues and concerns of the bidders present during the pre-bid conference had been addressed to by the BAC through the issuance of Bid Bulletin No. 01 dated 05 May 2014. A copy of the bid bulletin is hereto attached as Annex "I";

WHEREAS, the bid opening was held on 22 May 2014 at 2:00 p.m. at the AS Conference Room located at the 2nd Floor of the TESDA Administration Building in Taguig City. A copy of the Minutes of the Meeting is hereto attached as Annex "J";

WHEREAS, Elecol Engineering Equipment Supply and Services and Ma-An Construction Corporation were declared ineligible due to their non-compliance with the requirement on the bid security as prescribed by Section 27 of the Revised Implementing Rules and Regulations of Republic Act No. 9184. Hence, the BAC declared the bids of Elecol Engineering Equipment Supply and Services and Ma-An Construction Corporation as ineligible;

WHEREAS, Mako Teknomecaniques, Inc. was declared ineligible due to its non-compliance with the requirement that the statement of all its ongoing and completed government and private contracts must include the end-user's acceptance or official receipt/s issued for the completed contracts as prescribed by Clause 12 (1) (a) (iii) of Section II (Instructions to Bidders) of the bidding documents. Hence, the bid of Mako Teknomecaniques, Inc. was declared ineligible;

WHEREAS, Elecol Engineering Equipment Supply and Services and Mako Teknomecaniques, Inc. filed their requests for reconsideration on 26 May 2014 and 23 May 2014, respectively. A copy of their requests for reconsideration is hereto attached as Annexes "K" and "L" respectively.

WHEREAS, the BAC denied their requests for reconsideration in their letters dated 27 May 2014 clearly pointing out that the failure of the prospective bidders to comply with the eligibility requirements such as posting of bid security, submission of audited financial statements and submission of statement of all on-going and completed government and private contracts shall cause the disqualification of the bid. A copy of their letters denying their requests for reconsideration is hereto as Annexes "M" and "N", respectively.

WHEREAS, pursuant to Section 35 (b) of the Revised Implementing Rules and Regulations of Republic Act No. 9184, the BAC shall declare the bidding a failure when all prospective bidders are declared ineligible;

NOW, THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED, to declare the bidding for the procurement of new elevator units for the TESDA Central Office Administration Building a failure considering that all prospective bidders are declared ineligible.

Resolved this 28th day of May, 2014.


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. EMMANUEL JOEL J. VILLANUEVA
Director General