

Republic of the Philippines
TECHNICAL EDUCATION AND SKILLS DEVELOPMENT AUTHORITY
East Service Road, South Superhighway, Taguig City

66th TESDA BOARD MEETING
16 October 2008, Thursday, 2:00 p.m.
7th Floor TESDA Board Room, Office of the Chair
Taguig City

Resolution No. 2008-31
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APPROVING THE AWARD OF CONTRACT TO ACMI OFFICE SYSTEM IN THE AMOUNT OF Php20,528,966.40 FOR THE SUPPLY, DELIVERY, INSTALLATION AND COMMISSIONING OF VARIOUS CIVIL TECHNOLOGY TOOLS AND EQUIPMENT UNDER ADBTES-07 THROUGH LIMITED INTERNATIONAL BIDDING (LIB)

WHEREAS, Section 8, paragraph 3 of Republic Act No. 7796 otherwise known as the "Technical Education and Skills Development Act of 1994" grants the TESDA Board the power to enter into, make, execute, perform and carry out domestic and foreign contracts subject to existing law, rules and regulations;

WHEREAS, in the exercise of this power, the TESDA Board shall approve all contracts both local and foreign entered into by the Technical Education and Skills Development Authority (TESDA);

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 invitation to bid, conduct pre-bid conferences, determine the eligibility of prospective bidders, receive and open bids, conduct the evaluation of bids, undertake post-qualification proceedings, and recommend award of contracts to the Head of the Procuring Entity;

WHEREAS, the Republic of the Philippines has received a loan from the Asian Development Bank (ADB) towards the cost of the Technical Education and Skills Development Project (TESDP), and it intends to apply part of the proceeds of this loan to payments under the contracts for the supply, delivery, installation, testing, training and commissioning of various Civil Technology Tools and Equipment;

WHEREAS, during the submission and opening of bids on 10 October 2008 at the OTI Conference Room, Learning Center, Ground Floor of TESDA Administration Building, Taguig City, only one (1) bidder, ACMI Office System submitted a bid and eventually passed the preliminary examination of bid documents and found to be substantially compliant;

WHEREAS, as per ADB's Procurement Guidelines, Limited International Bidding (LIB) is essentially ICB by direct invitation without open advertisement. It may be an appropriate method of procurement where the amount of contract is not large enough to attract foreign suppliers and contract through ICB. Under LIB, borrowers shall seek bids from a list of potential suppliers broad enough to assure competitive prices, such list to include all suppliers when there are only a limited number. Domestic preferences are not applicable in the evaluation of bids under LIB. In all respect, other than advertisement and preferences, ICB procedures shall apply;

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WHEREAS, the BAC has referred to the Technical Working Group (TWG) created by the Head of the Procuring Entity the proposals of the qualified bidder for an exhaustive evaluation of the technical aspects of the bid proposals;

WHEREAS, the Bidding Documents, Section I - Instructions to Bidders and Section II – Bid Data Sheet, Award of Contract, Clause 40 - Purchaser's Right to vary Quantities at the time of the Award, states that at the time the Contract is awarded, the Purchaser reserves the right to increase or decrease the quantity of Goods and Related Services with maximum and minimum percentage of 15%;

WHEREAS, on the basis of said evaluation and technical analysis, the TWG has recommended the award of all the items in the lot considering that it has been found advantageous to the government;

WHEREAS, the BAC has adopted the recommendations of the TWG after a thorough deliberation of the merits of the findings of the evaluation;

WHEREAS, during the 37th Finance TESDA Board-TESDA Secretariat Consultation Meeting on 15 October 2008, the TESDA Secretariat through the Bids and Awards Committee recommended for approval the award of contract to ACMI OFFICE SYSTEM as the bidder with a single calculated responsive bid with the total amount of Php20,528,966.40 for the supply, delivery, installation and commissioning of various Civil Technology Tools And Equipment under ADBTES-07 through Limited International Bidding (LIB);

WHEREAS, the following documents have been appended which shall form as an integral part of this resolution:

- a. *BAC Resolution No. 058-2008*
- b. *Evaluation Report*
- c. *Bids Received Register*
- d. *Supplemental/Bid Bulletin No. 1 (Addendum)*
- e. *Record/List of Interested Bidders*
- f. *Invitation Letter to five (5) Suppliers to apply for Eligibility and to Bid*
- g. *ADB's "No Objection" for Rebidding (Table A)*

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- h. Certificate as to Availability of Funds (CAF)*
- i. Letter of ADB to TESDA (re: Utilization of Savings and Unused Loan proceeds)*
- j. Letter of NEDA to ADB*
- k. Letter of DOF to ADB*
- l. Duly Notarized Certification of the Agency Head certifying that all procedures are in accordance with existing laws*

WHEREAS, in the 62nd EXCOM-TESDA Board Meeting on 16 October 2008, the EXCOM-TESDA Board has recommended the award of all the items in the lot excluding Item No. BWI-TE-0015, Opaque Projector;

WHEREAS, in the 62nd EXCOM-TESDA Board Meeting on 16 October 2008, the EXCOM-TESDA Board favorably endorsed for consideration and approval of the TESDA Board the award of contract to ACMI OFFICE SYSTEM as the bidder with a single calculated responsive bid with the total amount of Php20,528,966.40 for the supply, delivery, installation and commissioning of various Civil Technology Tools And Equipment under ADBTES-07 through Limited International Bidding (LIB).

NOW, THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED, that the TESDA Board in its meeting today, 16 October 2008 approves the award of contract to **ACMI OFFICE SYSTEM** as the bidder with a single calculated responsive bid with the total amount of **Php20,528,966.40** for the supply, delivery, installation and commissioning of various Civil Technology Tools and Equipment under ADBTES-07 through Limited International Bidding (LIB).

BE IT RESOLVED FURTHER, that the TESDA Board authorizes Secretary Augusto Boboy Syjuco, Director General, Technical Education and Skills Development Authority (TESDA) to sign the final terms and conditions of the contract in behalf of TESDA.

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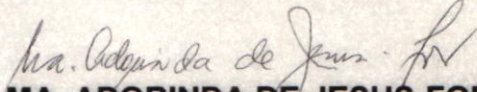
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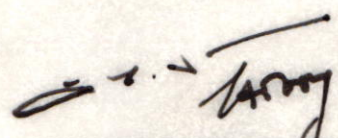
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BE IT RESOLVED FINALLY, that copy of this Resolution shall be disseminated to concerned offices for their information and guide.

Approved this 16th day of October 2008.


MA. ADORINDA DE JESUS-FORRO
Board Secretary VI

Attested by:


SEC. AUGUSTO BOBOY SYJUCO, Ph.D
Alternate Chair, TESDA Board
Director General
Technical Education and Skills Development Authority

