

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

67th TESDA BOARD MEETING
18 December 2008, Thursday, 2:00 p.m.
7th Floor TESDA Board Room, Office of the Chair
Taguig, Metro Manila

Resolution No. 2008-38
(Page 1 of 4 pages)

**APPROVING THE AWARD OF CONTRACT TO AYALA SYSTEMS TECHNOLOGY, INC.
FOR THE IMPLEMENTATION OF THE COMPUTER-BASED-ENGLISH PROFICIENCY
TRAINING PROGRAM FOR CALL CENTER AGENTS AT THE NATIONAL LANGUAGE
SKILLS INSTITUTE (LSI) AND REGIONAL LSI NETWORK UNDER THE PGMA-
TRAINING FOR WORK SCHOLARSHIP PROJECT (PGMA-TWSP)**

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 Technical Education and Skills Development Authority (TESDA) intends to apply the sum of ₱ 18,500,000.00 being the total Approved Budget for the Contract (ABC) for the Implementation of a Computer-Based-English Proficiency Training Program for Call Center Agents at the National Language Skills Institute (LSI) and Regional LSI Network under the PGMA- Training for Work Scholarship Project (PGMA-TWSP);

WHEREAS, the Technical Education and Skills Development Authority (TESDA) advertised the invitation to apply for eligibility and to bid in a newspaper of nationwide general circulation and posted the same in the TESDA website and the PhilGEPS;

WHEREAS, during the bid opening conducted last April 16, 2007, only one bidder passed the preliminary examination of bids and upon careful examination, validation and verification of all the document submitted, the bidder did not pass the post-qualification stage prompting the Bids and Awards Committee (BAC) to declare a failure of bid and to schedule a rebidding through BAC Resolution No. 037 series 2008;

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WHEREAS, during the rebidding conducted on October 15, 2008, two (2) prospective bidders – Advance Solutions, Inc. and Ayala Systems Technology, Inc. – passed the preliminary examination of bids, while Profiles Asia Pacific was disqualified for failure to submit the original bidders bond in their technical proposal;

WHEREAS, during the opening of the rebid, Advance Solutions Inc. was found to have offered the lowest calculated bid thus, its bid was forwarded to the Technical Working Group (TWG) for technical evaluation;

WHEREAS, the TWG submitted to the BAC its report and recommendation to the effect that Advance Solutions, Inc. only submitted a course outline titled Agent Foundation Training and demonstrated the software Magic Class. The Computer-Based English proficiency program course was not presented thus, in effect failed to qualify with respect to the technical specification requirement of the agency;

WHEREAS, the BAC found the lowest calculated bidder of its disqualification and proceeded to evaluate the bid of the next lowest calculated bidder, Ayala Systems Technology, Inc.;

WHEREAS, the TWG, upon careful examination, validation and verification of all the requirements submitted by the next lowest calculated bidder, Ayala Systems Technology, Inc. has been found to be responsive and complied with the specifications required by TESDA ;

WHEREAS, during the 38th Finance TESDA Board and TESDA Secretariat Consultation Meeting last 4 December 2008 the TESDA Secretariat through the Bids and Awards Committee recommended the award of contract to **AYALA SYSTEMS TECHNOLOGY, INC.** as the bidder with a responsive calculated bid with the total amount of **₱ 17,684,210.53** for the Implementation of the Computer-Based-English Proficiency Training Program for Call Center Agents at the National Language Skills Institute (LSI) and Regional LSI Network under PGMA- Training for Work Scholarship Project (PGMA-TWSP);

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

- a. *BAC Resolution No. 064-2008*
- b. *Technical Evaluation Report*
- c. *Abstract of Bids as Read*
- d. *Bid Offer of Ayala Systems Technology, Inc.*
- e. *Bid Offer of Advance Solutions, Inc.*
- f. *Bid Received Register*
- g. *Supplemental/Bid Bulletin Nos. 1 & 2*
- h. *Record/List of Interested Bidders*
- i. *Advertisements*
 - a. *Invitation to Apply for Eligibility and to Bid*
 - b. *Newspaper – Phil. Daily Inquirer*
 - c. *PhilGEPS*
- j. *BAC Resolution No. 037-2008*
- k. *Certification as to Availability of Funds*
- l. *Terms of Reference*
- m. *Duly Notarized Certification of the Agency Head certifying that all procedures are in accordance with existing laws*

WHEREAS, in the 63rd EXCOM TESDA Board Meeting held 18 December 2008 it was favorably endorsed to the TESDA Board the award of contract to **AYALA SYSTEMS TECHNOLOGY, INC.** as the bidder with a responsive calculated bid with the total amount of **₱ 17,684,210.53** for the Implementation of the Computer-Based-English Proficiency Training Program for Call Center Agents at the National Language Skills Institute (LSI) and Regional LSI Network under PGMA- Training for Work Scholarship Project (PGMA-TWSP).

NOW, THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED, that the TESDA Board in its meeting today 18 December 2008, approves the award of contract to **AYALA SYSTEMS TECHNOLOGY, INC.** as the bidder with a responsive calculated bid with the total amount of **₱ 17,684,210.53** for the Implementation of the Computer-Based-English Proficiency Training Program for Call Center Agents at the National Language Skills Institute (LSI) and Regional LSI Network under PGMA- Training for Work Scholarship Project (PGMA-TWSP).

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

BE IT RESOLVED FINALLY, that copy of this Resolution shall be disseminated to all concerned.

Approved this 18th day of December 2008.

Ma. Adorinda de Jesus Forro
MA. ADORINDA DE JESUS-FORRO
Board Secretary VI

Attested by:

Boboy

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

TESDA



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