

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

**71ST TESDA BOARD MEETING**  
21 October 2009, Wednesday, 2:00 p.m.  
7<sup>th</sup> Floor TESDA Board Room, Office of the Chair  
Taguig, Metro Manila

**Resolution No. 2009-22**  
(Page 1 of 5 pages)

**APPROVING THE AWARD OF CONTRACTS TO MAX. IDEAS  
MARKETING CORPORATION FOR THE SUPPLY AND DELIVERY OF  
PRINTED T-SHIRT FOR THE PGS PROGRAM IN THE AMOUNT OF  
PHP36,275,800.00**

**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 utilize the sum of ₱ 36,300,000.00, being the total Approved Budget for the Contract (ABC), for the procurement of printed T-shirts for the Pangulong Gloria Scholarship Program;

**WHEREAS**, TESDA advertised the invitation to apply for eligibility and to bid for the supply and delivery of printed T-shirts as advocacy materials for the PGS Program twice in a newspaper of nationwide general circulation and also posted the same in the TESDA website and in the PhilGEPS continuously for fourteen (14) days.

**WHEREAS**, responding to the abovementioned advertisements, eight (8) prospective bidders signified their interest to participate in said bidding process, namely: 1) Max. Ideas Marketing Corporation; 2) Prosperous Apparel Marketing; 3) Golden JPS; 4) Golden South Enterprise; 5) 8 To Go; 6) MJ2; 7) JLC; and 8) Total Data;



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**WHEREAS**, during the bid opening, only three (3) prospective bidders submitted their bids. These are Max. Ideas Marketing Corporation which passed the pre-qualification stage and Golden South Enterprise and Total Data which were found non-compliant with the legal documentary requirements and were thus declared ineligible;

**WHEREAS**, notwithstanding the opportunity given them to submit their respective Motions for Reconsideration, Golden South Enterprise and Total Data had signified that they were waiving their right and thus requested to withdraw their respective bid documents, which the BAC granted;

**WHEREAS**, considering the withdrawal of the bids of Golden South Enterprise and Total Data, and in accordance with the provision of Section 36, para. b) of R.A.9184, Max. Ideas Marketing Corporation was declared a qualified bidder with a bid proposal amounting to **₱ 36,275,800.00**;

**WHEREAS**, accordingly, a Technical Working Group (TWG) was created to assist the BAC in evaluating the eligibility, technical, and financial requirements of Max. Ideas Marketing Corporation. TWG recommended to the BAC that Max. Ideas Marketing Corporation met all the bid requirements;

**WHEREAS**, upon careful examination, validation, verification, and evaluation of the eligibility, technical and financial requirements submitted by Max. Ideas Marketing Corporation, the latter's bid was found responsive;



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**WHEREAS**, during the 49th Finance TESDA Board and TESDA Secretariat Consultation Meeting last 20 October 2009 the TESDA Secretariat through the Bids and Awards Committee recommended the award of contracts to Max. Ideas Marketing Corporation for the supply and delivery of printed T-shirts for the PGS Program in the amount of Php36,275,800.00;

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

1. *BAC Resolution No. 073-2009*
2. *Technical Evaluation Report*
3. *Abstract of Bids as Read*
4. *Authority of the Signing Official*
5. *Bid Form and Price Schedule*
6. *Technical Proposal*
  - a) *Technical Specification*
  - b) *After-Sales Service/Parts*
  - c) *Manpower Requirement*
  - d) *Schedule of Requirements*
7. *Financial Capacity*
  - a) *NFCC*
  - b) *Cash Deposit Certificate*
8. *Supplemental Bulletin No. 1*
9. *Record of Bidders*
  - a) *Record of Interested Bidders*
  - b) *Attendance Sheet (Pre-Bid Conference)*
  - c) *Bids Received Register*
  - d) *Attendance Sheet (Bid Opening)*
10. *Letter to the Observers*
  - a) *Procurement Watch, Inc*
  - b) *Transparency International Phils.*
  - c) *Catholic Bishop Conference of the Phils.*

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11. *Advertisements*
  - a) *Newspaper*
  - b) *PhilGEPS*
12. *Obligation Request*
13. *Certificate as to Availability of Funds*
14. *Terms of Reference (TOR)*
15. *Eligibility Requirements*
  - a. *DTI Certification*
  - b. *SEC Registration/Articles of Incorporation*
  - c. *Mayor's Permit*
  - d. *PhilGEPS Registration*
  - e. *Credit Line Certificate*
  - f. *List of Ongoing and Completed Contracts*
  - g. *Certificate as to Compliance of Existing Labor Laws and Standards*
  - h. *Affidavit of Disclosure of No Relationship*
  - i. *Certification on Bidder's Responsibilities*
16. *Duly Notarized Certification of the Agency Head certifying that all procedures are in accordance with existing laws*

**WHEREAS**, in the 68th EXCOM TESDA Board Meeting held 21 October 2009 1:00 p.m. the members of the TESDA Board favorably endorsed on the basis of the recommendation made by the members of the TESDA Board present during the 49th Finance TESDA Board and TESDA Secretariat Consultation Meeting last 20 October 2009;

**NOW, THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED**, that the TESDA Board in its meeting today, 21 October 2009, 2:00 p.m. approves the award of contract to Max. Ideas Marketing Corporation for the supply and delivery of printed T-shirts for the PGS Program in the amount of PHP36, 275,800.00;



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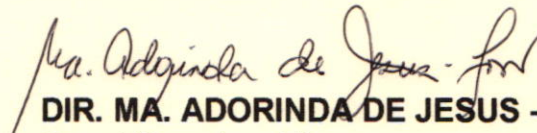
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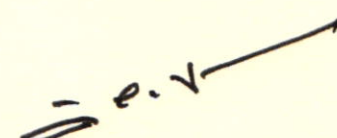
**BE IT RESOLVED FURTHER**, that the Board authorizes Secretary Augusto Boboy Syjuco, Director General, Technical Education and Skills Development Authority (TESDA) to sign the final terms and conditions of the contracts in behalf of TESDA.

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

Approved this 21st day of October 2009

  
**DIR. 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

**TESDA**  
  
**2009T10206**  
**OSEC/ODG**