

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

73rd TESDA BOARD MEETING
27 November 2009, Friday, 2:00 p.m.
7th Floor TESDA Board Room, Office of the Chair
Taguig City

Resolution No. 2009-29
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APPROVING THE AWARD OF CONTRACT TO ACMI OFFICE SYSTEMS PHILIPPINES, INC. WITH THE LOWEST CALCULATED AND RESPONSIVE BID FOR THE PROCUREMENT OF VARIOUS TRAINING AND TESTING TOOLS AND EQUIPMENT IN THE AMOUNT OF Php87,256,107.56

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, as per BAC Resolution No. 060-2009 issued on July 28, 2009, recommending the award of contract to ACMI Office Systems Philippines, Inc. and State Alliance Enterprises, Inc. amounting to One Hundred Eight Million One Hundred Ninety Seven Thousand Two hundred Pesos (Php108,197,200.00) and Eighty Seven Million Two Hundred Fifty Six Thousand One Hundred Seven and 56/100 Pesos (Php87,256,107.56) respectively, and the same was approved by the TESDA Board per Resolution No. 2009-023 issued on October 21, 2009, a copy of which is hereto attached as Annexes "A" and "B";

WHEREAS, the procuring entity respectively issued a Notice of Award to both suppliers and required them to post a Performance Bond and to enter into contract with TESDA, copy of their respective Notices of Award are hereto attached as Annexes "C" and "D";

WHEREAS, ACMI Office Systems Philippines, Inc. accepted the award and posted a performance bond while State Alliance Enterprises, Inc. unjustifiably refused to enter into contract with TESDA, a copy of the performance bond of ACMI Office Systems Philippines, Inc. and letter of withdrawal of State Alliance Enterprises, Inc. are hereto attached as Annexes "E" and "F";

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WHEREAS, considering the failure of State Alliance Enterprises, Inc. to enter into contract with TESDA and pursuant to Section 40.2 of the Revised Implementing Rules and Regulations of Republic Act No. 9184, the BAC disqualified the said bidder, and initiate and complete the post-qualification process on the bid of ACMI Office Systems Philippines, Inc. with the Lowest Calculated and Responsive Bid;

WHEREAS, a Technical Evaluation Group (TEG) was created by the Head of the Procuring Entity to assist the BAC in the post-qualification process of the technical specifications and assessment of bid proposals of ACMI Office Systems Philippines, Inc.;

WHEREAS, upon careful examination, validation and verification of the entire technical and financial proposal submitted, ACMI Office Systems Philippines, Inc. has been found to be responsive;

WHEREAS, during the 51st Finance TESDA Board-TESDA Secretariat Consultation Meeting on 26 November 2009 the TESDA Secretariat through the Bids and Awards Committee recommended the award of contract to ACMI Office Systems Philippines, Inc. with the Lowest Calculated and Responsive Bid for the Procurement of various Training and Testing Tools and Equipment in the amount of Eighty Seven Million Two Hundred Fifty Six Thousand One Hundred Seven and 56/100 Pesos (Php87,256,107.56);

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

1. BAC Resolution No. 085-2009
2. BAC Resolution No. 083-2009
3. BAC Resolution No. 060-2009
4. Summary of Award Per Lot
5. Board Resolution No. 2009-23
6. Notice of Award to ACMI Office Systems Philippines, Inc.
7. Notice of Award to State Alliance Enterprises, Inc.
8. Bank Guarantee with Indemnity Agreement (Metrobank)
9. Metrobank Acknowledgement
10. Letter from State Alliance Enterprises, Inc.

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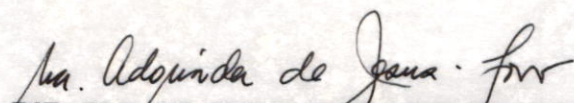
WHEREAS, in the 70th EXCOM-TESDA Board Meeting on 27 November 2009 1:00 p.m. the Members of the TESDA Board favorably endorsed on the basis of the recommendation made by the Members of the TESDA Board present during the 51st Finance TESDA Board-TESDA Secretariat Consultation Meeting on 26 November 2009.

NOW, THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED, that the TESDA Board in its meeting today, 27 November 2009, 2:00 p.m. approves the award of contract to ACMI Office Systems Philippines, Inc. with the Lowest Calculated and Responsive Bid for the Procurement of various Training and Testing Tools and Equipment in the amount of Eighty Seven Million Two Hundred Fifty Six Thousand One Hundred Seven and 56/100 Pesos (Php87,256,107.56).

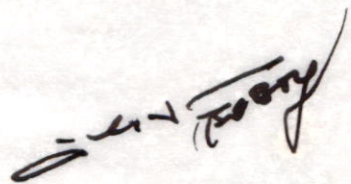
BE IT RESOLVED FURTHER, that the Board authorizes Secretary Augusto Boboy Syjuco, Director General, Technical Education and Skills Development Authority (TESDA) to sign the final terms and conditions of the contracts in behalf of TESDA provided they conform to the Rules and Regulations of R.A. 9184.

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

Approved this 27th day of November 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

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