



**BIDS AND AWARDS COMMITTEE
(CENTRAL OFFICE)**

RESOLUTION NO. 65-2021

**DECLARING A FAILURE OF BIDDING FOR LOT 1 UNDER THE
PROCUREMENT OF STARTER TOOLKITS FOR THE IMPLEMENTATION
OF FY 2020 SPECIAL TRAINING FOR EMPLOYMENT PROGRAM
(STEP) - HEALTH, SOCIAL AND OTHER COMMUNITY
DEVELOPMENT SERVICES SECTOR**

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 bid opening for the Procurement of Starter Toolkits for the Implementation of FY 2020 Special Training for Employment Program (STEP) - Health, Social and Other Community Development Services Sector was held on 16 November 2020. Likewise, ACMI Office Systems Philippines Inc., Dominion Intertrade Corporation and Welcome Export Inc. submitted their respective bidding documents for the said project;

WHEREAS, ACMI Office Systems Philippines, Inc., Dominion Intertrade Corporation and Welcome Export Inc. passed the eligibility requirements pursuant to Sections 23 and 25 of the 2016 Revised Implementing Rules and Regulations (RIRR) of Republic Act (RA) No. 9184;

WHEREAS, Dominion Intertrade Corporation was declared as the Lowest Calculated Bidder for Lot 1 - Hilot (Wellness Massage) NC II under the Procurement of Starter Toolkits for the Implementation of FY 2020 Special Training for Employment Program (STEP) - Health, Social and Other Community Development Services Sector;

WHEREAS, Dominion Intertrade Corporation was post-disqualified on Lot 1 - Hilot (Wellness Massage) NC II under the Procurement of Starter Toolkits for the Implementation of FY 2020 Special Training for Employment Program (STEP) - Health, Social and Other Community Development Services Sector pursuant to BAC Resolution No. 17-2021 dated 3 February 2021;

BAC Resolution No. 65-2021 dated 22 June 2021

WHEREAS, pursuant to Section 34.5 of the 2016 RIRR of RA 9184, if, however, the BAC determines that the bidder with the Lowest Calculated Bid fails the criteria for post-qualification, it shall immediately notify the said bidder in writing of its post-disqualification and the grounds for it;

WHEREAS, pursuant to Section 34.6 of the 2016 RIRR of RA 9184, the post-qualification process on the bidder with the Second Lowest Calculated Bid must immediately be initiated after notifying the first bidder of its post-disqualification;

WHEREAS, ACMI Office Systems Philippines Inc. was declared as the Second Lowest Calculated Bidder for Lot 1 - Hilot (Wellness Massage) NC II under the Procurement of Starter Toolkits for the Implementation of FY 2020 Special Training for Employment Program (STEP) - Health, Social and Other Community Development Services Sector;

WHEREAS, ACMI Office Systems Philippines, Inc. was post-disqualified for Lot 1 - Hilot (Wellness Massage) NC II under the Procurement of Starter Toolkits for the Implementation of FY 2020 STEP - Health, Social and Other Community Development Services Sector pursuant to BAC Resolution No. 52-2021 dated 30 March 2021;

WHEREAS, pursuant to Section 34.5 of the 2016 RIRR of RA 9184, if, however, the BAC determines that the bidder with the Second Lowest Calculated Bid fails the criteria for post-qualification, it shall immediately notify the said bidder in writing of its post-disqualification and the grounds for it;

WHEREAS, pursuant to Section 34.7 of the 2016 RIRR of RA 9184, the post-qualification process on the bidder with the Third Lowest Calculated Bid must immediately be initiated after notifying the second bidder of its post-disqualification;

WHEREAS, Welcome Export, Inc. was declared as the Third Lowest Calculated Bidder for Lot 1 - Hilot (Wellness Massage) NC II under the Procurement of Starter Toolkits for the Implementation of FY 2020 STEP - Health, Social and Other Community Development Services Sector;

WHEREAS, Welcome Export, Inc. was post-disqualified on Lot 1 - Hilot (Wellness Massage) NC II under the Procurement of Starter Toolkits for the Implementation of FY 2020 Special Training for Employment Program (STEP) - Health, Social and Other Community Development Services Sector pursuant to BAC Resolution No.61-2021 dated 4 June 2021;

WHEREAS, pursuant to Section 34.7 of the RIRR of RA 9184, the BAC in its letter dated 4 June 2021 notified Welcome Export, Inc. of its post-disqualification and the grounds for it. A copy of the Notice of Post-Disqualification dated 4 June 2021 issued to Welcome Export, Inc. is hereto attached as Annex "A";

WHEREAS, pursuant to Section 55.1 of Rule XVII (Protest Mechanism) of the 2016 RIRR of RA 9184, Welcome Export, Inc. had been given three (3) calendar days from 11 June 2021 or until 14 June 2021 within which to file its Request for

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Reconsideration. However, despite the lapse of the period to file such Request for Reconsideration, no request for reconsideration was filed by Welcome Export, Inc.;


WHEREAS, if all bids failed to comply with all the bid requirements or fail the post-qualification, the BAC shall declare a failure of bidding pursuant to Section 35.1 (c) of the 2016 RIRR of RA 9184. As such, the BAC declared a failure of bidding for Lot 1 - Hilot (Wellness Massage) NC II under the Procurement of Starter Toolkits for the Implementation of FY 2020 Special Training for Employment Program (STEP) - Health, Social and Other Community Development Services Sector;

WHEREAS, pursuant to Sections 35.2 and 35.3 of the 2016 RIRR of Republic Act No. 9184, in order to determine the reason for the failed bidding, the BAC shall conduct a mandatory review and evaluation of the terms, conditions, and specifications in the Bidding Documents, including its cost estimates. Based on its findings, the BAC shall revise the terms, conditions, and specifications, and if necessary, adjust the ABC, subject to the required approvals, and conduct a rebidding with re-advertisement and/or posting, as provided for in Section 21.2 of 2016 RIRR of Republic Act No. 9184;


NOW, THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED, to declare a failure of bidding for Lot 1 - Hilot (Wellness Massage) NC II under the Procurement of Starter Toolkits for the Implementation of FY 2020 Special Training for Employment Program (STEP) - Health, Social and Other Community Development Services Sector pursuant to Section 35.1 (c) of the 2016 RIRR of RA 9184 and to conduct a rebidding subject to the instruction of the approving authority and provisions of Republic Act No. 9184 and its RIRR.


Signed this 22nd day of June 2021 at TESDA, Taguig City, Metro Manila.


LINA C. SARMIENTO
BAC Chairperson

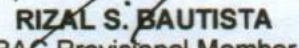

DAVID B. BUNGALÓN
BAC Vice Chairperson

-absent-
ATTY. MARICHELLE D. DE GUZMAN
BAC Member


MA. MAGDALENA P. BUTAD
BAC Member


ARTEMIO C. DEL ROSARIO, JR.
BAC Member


MARIA GRACIA P. DELA RAMA
BAC Provisional Member


RIZAL S. BAUTISTA
BAC Provisional Member

Approved

Disapproved


SEC. ISIDRO S. LAPENA, PhD, CSEE
Director General