



BIDS AND AWARDS COMMITTEE
(CENTRAL OFFICE)

RESOLUTION NO. 57 - 2024

**DECLARING FAILURE OF BIDDING ON LOT 38 – RAC SERVICING [DOMRAC]
NC II FOR THE IMPLEMENTATION OF FY 2023 SPECIAL TRAINING FOR
EMPLOYMENT PROGRAM (STEP) - REBIDDING**

WHEREAS, the bid opening for the Procurement of Starter Toolkits for the Implementation of FY 2023 Special Training for Employment Program (STEP) – (Lot 38 – RAC Servicing [DomRAC] NC II - Rebidding) was held on 6 August 2024 at the Gabriela Silang Room, TESDA Women’s Center (TWC), TESDA Complex, Gate 1, East Service Road, South Luzon Expressway (SLEX), Fort Bonifacio, Taguig City;

WHEREAS, pursuant to Section 30.1 of the 2016 Revised Implementing Rules and Regulations (RIRR) of Republic Act (RA) No. 9184, the Bids and Awards Committee (BAC) shall check the submitted documents of each bidder against a checklist of required documents to ascertain if they are all present, using a non-discretionary “pass/fail” criterion. If a bidder submits the required document, it shall be rated “passed” for that particular requirement. In this regard, bids that fail to include any requirement or are incomplete or patently insufficient shall be considered as “failed.” Otherwise, the BAC shall rate the said first bid envelope as “passed”;

WHEREAS, ACMI Office Systems Philippines Inc. passed the eligibility requirements pursuant to Sections 23 and 25 of the 2016 RIRR of RA 9184;

WHEREAS, the BAC evaluated the financial component of the bids to determine the Lowest Calculated Bid pursuant to Section 32.2 of the 2016 RIRR of RA 9184;

WHEREAS, ACMI Office Systems Philippines Inc. was determined to be the Single Calculated Bidder (SCB) for Lot 38 – RAC Servicing [DomRAC] NC II under the abovementioned procurement project;

WHEREAS, pursuant to Section 34.2 of the 2016 RIRR of RA 9184, the Notice of Single Calculated Bids (SCB) was issued to ACMI Office Systems Philippines Inc. requiring said bidder to submit within five (5) calendar days from the receipt of said Notice the documents stated in the Instruction to Bidders (ITB) Clause 20.1 of the Bid Data Sheet of the Bidding Documents in certified as true copy/ies from the original by the authorized representative for purposes of post-qualification. The Notice of SCB was received by said bidder on 15 August 2024. Hence, said bidder was given until 20 August 2024 within which to submit the foregoing documents;

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WHEREAS, in its letter dated 19 August 2024, ACMI Office Systems Philippines Inc. notified the BAC of its inability to submit its post-qualification documents and sample products;

WHEREAS, pursuant to ITB Clause 20.1 of the Bidding Documents and as stated in the Notice of SCB dated 13 August 2024, if the prospective bidder fails to present the items during the scheduled date of presentation, the BAC shall declare the bidder post-disqualified for failure to comply with the agency requirements;

WHEREAS, due to non-compliance with the requirements of TESDA, the BAC unanimously decide to declare the bidder post-disqualified in Lot 38 – RAC Servicing [DomRAC] NC II under the abovementioned project, without prejudice to its right to file a request for reconsideration as prescribed under Section 55.1 of Rule XVII (Protest Mechanism) of the 2016 RIRR of RA 9184;

WHEREAS, the BAC notified ACMI Office Systems Philippines, Inc of its post-disqualification and the grounds thereof through the issuance of Notice of Post-Disqualification dated 5 September 2024 to said bidder on 25 September 2024. Said bidder did not file its request for reconsideration on the decision of the BAC;

WHEREAS, pursuant to Sections 35.1 (c), 35.2 and 35.3 of the 2016 RIRR of RA 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, then conduct a rebidding with re-advertisement and/or posting as provided for in Section 21.2 of 2016 RIRR of RA 9184;

WHEREAS, pursuant to Government Procurement Policy Board (GPPB) Circular No. 05-2016 dated 20 December 2016, the BAC shall endeavor to conduct the procurement activity for the Negotiated Procurement under Two-Failed Bidding modality immediately, but it should not exceed fifteen (15) days after the declaration of the second failure of bidding. The period may be extended up to Thirty (30) days upon approval of the Head of Procuring Entity (HoPE);

NOW, THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED, to declare a failure of bidding for Lot 38 – RAC Servicing [DomRAC] NC II for the Implementation of FY 2023 Special Training for Employment Program (STEP) - Rebidding and to resort to Negotiated Procurement subject to compliance with the requirements of Section 53.1 of the 2016 RIRR of RA 9184.


Signed this 9th day of October, 2024 at TESDA, Taguig City, Metro Manila.




VIDAL D. VILLANUEVA III
BAC Chairperson




MA. MAGDALENA P. BUTAD
BAC Vice-Chairperson



JOYCE B. BALONG
BAC Member




GILBERT M. CASTRO
BAC Member



DEXTER. HULLEZA
BAC Member



ROSALINA S. CONSTANTINO
BAC Provisional Member



EDWARD M. DELA ROSA
BAC Provisional Member