



08 February 2022

**ASTI – BIDS AND AWARDS COMMITTEE
BAC Resolution No. 22-02-014**

**DECLARATION OF FAILURE OF BIDDING FOR THE SUPPLY AND DELIVERY OF
ONE (1) LOT FABRICATION AND INSTALLATION OF BASE TOWER (SECOND BIDDING)**

Purchase Request No.	:	REIINN-21-11-12804
Date of Purchase Request	:	18 January 2022
Invitation to Bid No.	:	22-01-3734
Solicitation No.	:	22-01-3734
PhilGEPS Reference No.	:	8362238
Approved Budget for the Contract	:	₱2,922,000.00

WHEREAS, included in the Annual Procurement Plan (APP) for Fiscal Year 2022 of the Department of Science and Technology (DOST) - Advanced Science and Technology Institute (ASTI) is the **Supply and Delivery of One (1) Lot Fabrication and Installation of Base Tower**, with a total Approved Budget for the Contract (ABC) amounting to **Two Million Nine Hundred Twenty-Two Thousand Pesos Only (₱2,922,000.00)**;

WHEREAS, Section 7 of Republic Act (RA) No. 9184 mandates that no government procurement shall be undertaken unless it is in accordance with an approved APP consistent with the yearly budget and approved by the Head of the Procuring Entity;

WHEREAS, given the exceptional circumstances brought about by the Coronavirus disease (COVID-19) pandemic, especially implementation of different community quarantines and suspension of public transport services, it is challenging to both the Procuring Entities (PEs) and the bidders to continue with the conduct of procurement activities, thereby having risks of exceeding the maximum calendar days allowed for specific procurement activities. In view of this, the Government Procurement Policy Board (GPPB) issued GPPB Resolution No. 09-2020 dated 07 May 2020 titled, "Approving Measures for the Efficient Conduct of Procurement Activities during a State of Calamity, or Implementation of Community Quarantine or Similar Restrictions";

WHEREAS, so as to "maximize the use of existing rules under RA No. 9184, its IRR and related issuances on the conduct of procurement activities, particularly those meant to streamline, simplify and expedite the conduct of procurement and address the challenges and disruptions brought by calamities and crisis such as the COVID-19 pandemic", the GPPB enjoin PEs in the above Resolution to use videoconferencing, webcasting and similar technology in the conduct of any of the meetings and determination of quorum by the Bids and Awards Committee (BAC) and use of digital signatures in procurement related documents;

WHEREAS, on 18 January 2022, 10:00 AM, a Pre-procurement Conference was held online via Microsoft Teams Application with the BAC, BAC Secretariat, and end-user representatives in attendance, to determine the readiness of the procurement project;

WHEREAS, on 20 January 2022, the Invitation to Bid for the Supply and Delivery of One (1) Lot Fabrication and Installation of Base Tower (Second Bidding) was published on the Philippine Government Electronic Procurement System, DOST-ASTI website, and conspicuous place within the premises of the PE reserved for the purpose;

WHEREAS, due to the different community quarantines implemented in the country, a Pre-bidding Conference was held via videoconferencing on 27 January 2022, 09:00 in the morning, which was attended by four (4) prospective bidders, specifically, Interlux Corporation, LP Locquiao Construction & Supply, Gil L. Ortiz Construction, and AP Taragino Engineering Construction Services;

WHEREAS, EP De Guzman Consulting Engineer and Contractor, LP Locquiao Construction & Supply, and Ampercs General Trading Services submitted their bids before the 10:00 AM deadline on 08 February 2022 and on the same day at 10:30 AM, the BAC conducted the Opening of Bids through Microsoft Teams Application;

WHEREAS, during the stages of eligibility check and preliminary examination of bids, the three (3) bidders were declared "INELIGIBLE", due to non-submission of the following documents:

- 1) **Ampercs General Trading Services** - Valid PhilGEPS Registration Certificate;

- 2) **EP De Guzman Consulting Engineer and Contractor** - Conformity with the Technical Specifications, which may include production/delivery schedule, manpower requirements, and/or aftersales/parts, if applicable; and
- 3) **LP Locquiao Construction & Supply** - Conformity with the Technical Specifications, which may include production/delivery schedule, manpower requirements, and/or aftersales/parts, if applicable.

WHEREAS, after the Opening of Bids, the BAC and the end-user conducted the mandatory review to determine the reason for the procurement failure; and

WHEREAS, Section 35.1(b) of the 2016 revised Implementing Rules and Regulations of RA No. 9184 provides that the BAC shall declare the bidding a failure when all prospective bidders are declared ineligible.

NOW, THEREFORE, for and in consideration of the foregoing, **WE**, the Members of the BAC, **RESOLVE**, as it is hereby **RESOLVED**, to:

- 1) **DECLARE** the second failure of bidding for the Supply and Delivery of One (1) Lot Fabrication and Installation of Base Tower; and
- 2) **REPOST** the failed procurement opportunities and resort to Negotiated Procurement after Two Failed Biddings pursuant to Section 53.1 of the 2016 Revised Implementing Rules and Regulations of RA No. 9184.

DONE in Quezon City this 8th day of February 2022.

for
PETER ANTONIO B. BANZON
End-user

JAYSON C. HERNANDEZ
BAC Member

ROXANNE S. AVIÑANTE
BAC Member

HAROLD BRYAN S. PALER
BAC Member

JOHN ROBERT T. MENDOZA
BAC Member

BAYANI BENJAMIN R. LARA
BAC Vice Chairperson

GERWIN P. GUBA
BAC Chairperson

APPROVED/DISAPPROVED:

FRANZ A. DE LEON, Ph.D.
Director, DOST-ASTI

/bac-sec/vrs/kbr