



08 March 2021

**ASTI – BIDS AND AWARDS COMMITTEE  
BAC Resolution No. 21-03-021**

**DECLARATION OF FAILURE OF BIDDING FOR THE SUPPLY AND DELIVERY OF  
ONE (1) LOT DOWNCONVERTER**

Purchase Request No.	:	<b>GRASPED-21-01-10799</b>
Date of Purchase Request	:	<b>13 January 2021</b>
Invitation to Bid No.	:	<b>21-02-3337</b>
Solicitation No.	:	<b>21-02-3337</b>
PhilGEPS Reference No.	:	<b>7465134</b>
Approved Budget for the Contract	:	<b>₱1,330,000.00</b>

**WHEREAS**, included in the Final Annual Procurement Plan (APP) for Fiscal Year 2021 of the Department of Science and Technology (DOST) - Advanced Science and Technology Institute (ASTI) is the Supply and Delivery of One (1) Lot Downconverter, with a total Approved Budget for the Contract (ABC) amounting to One Million One Three Hundred Thirty Thousand Pesos Only (₱1,330,000.00);

**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**, due to exceptional cases brought about by the COVID-19 pandemic, community quarantines, and suspensions of public transport, the Government Procurement Policy Board (GPPB) issued Resolution No. 09-2020 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 Procuring Entities (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**, the procurement was initiated by the BAC by having its Secretariat post the Invitation to Bid on the website of the Philippine Government Electronic Procurement System, website of the DOST-ASTI 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 18 February 2021, 10:30 in the morning, which was attended by one (1) prospective bidder, specifically, Skymap Global Philippines, Inc.;

**WHEREAS**, on 02 March 2021, one (1) bidder purchased Bidding Documents in the amount of Five Thousand Pesos Only (₱5,000.00) and consequently, submitted bids for the procurement project before 10:00 in the morning, specifically, Skymap Global Philippines, Inc.;

**WHEREAS**, on the same date, at 10:30 in the morning, the BAC conducted the Opening and Preliminary Evaluation of Bids adopting the non-discretionary “pass/fail” criterion specified in the 2016 revised IRR of RA No. 9184;

**WHEREAS**, Skymap Global Philippines, Inc. was declared ineligible, as it failed to submit their Audited Financial Statements, showing, among others, the bidder’s total and current assets and liabilities, stamped “received” by the BIR or its duly accredited and authorized institutions;

**WHEREAS**, in accordance with Section 55.1 of the revised RA 9184, the BAC informed Skymap Global Philippines, Inc., that they may file a request for reconsideration within three (3) calendar days upon receipt of written notice or verbal notification;

**WHEREAS**, Mr. Alonzo, bidder representative, acknowledged the verbal notification and responded that they would file a Motion for Reconsideration;

**WHEREAS**, it is noted that during the three-day reglementary period, that is, until 05 March 2021, no Motion for Reconsideration was submitted to the BAC Secretariat by Skymap Global Philippines, Inc.;

**WHEREAS**, Section 35.1(b) of the 2016 revised IRR 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 first failure of bidding for the Supply and Delivery of One (1) Lot Downconverter;
- 2) **CONDUCT** a mandatory review pursuant to Sections 35.2 and 35.3 of the 2106 revised IRR of RA No. 9184 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;
- 3) **REVISE** the terms, conditions, and specifications, and if necessary, adjust the ABC based on the findings in the mandatory review; and
- 4) **REPOST** the opportunity for second public bidding.

**RESOLVED**, at the DOST-ASTI, Quezon City, this 8<sup>th</sup> day of March 2021.

**BAYANI BENJAMIN R. LARA**  
End-user

**JAYSON C. HERNANDEZ**  
BAC Member

**ROXANNE S. AVIÑANTE**  
BAC Member

**HAROLD BRYAN S. PALER**  
BAC Member

**JOHN ROBERT T. MENDOZA**  
BAC Member

**GERWIN P. GUBA**  
BAC Vice Chairperson

**REYNALDO JOSEPH A. CALLAO, JR.**  
BAC Chairperson

**APPROVED** / DISAPPROVED:

**ALVIN E. RETAMAR**  
Officer-in-Charge, DOST-ASTI