



05 May 2021

**ASTI – BIDS AND AWARDS COMMITTEE
BAC Resolution No. 21-05-049**

**RECOMMENDING THE CANCELLATION OF AWARD TO TRES RSZ PEST CONTROL SERVICES
FOR PROVISION OF PEST CONTROL SERVICES AND RECOMMENDING AWARD OF CONTRACT TO
JTO PEST CONTROL SERVICES**

Purchase Request No.	:	GAA-21-02-10903
Date of Purchase Request	:	15 February 2021
Request for Quotation No.	:	21-03-3366
Solicitation No.	:	21-03-3366
PhilGEPS Reference No.	:	7575568
Approved Budget for the Contract	:	₱200,000.00

WHEREAS, the Finance and Administrative Division submitted to the Bids and Awards Committee (BAC) Purchase Request No. GAA-21-02-10903 for the Pest Control Services with an Approved Budget for the Contract amounting to Two Hundred Thousand Pesos Only (₱200,000.00) which was included in the Final Annual Procurement Plan for Fiscal Year 2021;

WHEREAS, the mode of procurement is based on Item No. 8, Annex "H" of the 2016 revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184, which provides that the Procuring Entity may resort to Small Value Procurement to promote economy and efficiency if the ABC does not exceed One Million Pesos (₱1,000,000.00);

WHEREAS, on 26 March 2021, the BAC published the Request for Quotation and invited four (4) suppliers of known qualifications to participate in said procurement, namely: (1) Top Best Pest Control; (2) Joven Pest Control; (3) JTO Pest Control; and (4) Tres RSZ Pest Control;

WHEREAS, the End-user forwarded to the BAC Secretariat its evaluation which found the offer of Tres RSZ Pest Control Services compliant with the eligibility requirements and specifications, which was verified by the BAC. Its quotation, with a total amount of One Hundred Sixty-Eight Thousand Pesos and 03/100 Only (₱168,000.03), inclusive of all government taxes and fees, is deemed the most advantageous to the government, thereby making the same as the Lowest Calculated Responsive Quotation (LCRQ);

WHEREAS, the BAC recommended the award of contract for the Pest Control Services in favor of Tres RSZ Pest Control Services through BAC Resolution No. 21-04-037 dated 08 April 2021 and accordingly, the BAC through the Secretariat, issued the Notice of Award to Tres RSZ Pest Control Services on 23 April 2021;

WHEREAS, pursuant to Section 37.1.6 of the 2016 revised IRR of RA No. 9184, *"the BAC, through the Secretariat, shall post, within three (3) calendar days from its issuance, the Notice of Award in the PhilGEPS, the website of the procuring entity, if any, and any conspicuous place in the premises of the procuring entity"*;

WHEREAS, during the posting of Notice of Award in the PhilGEPS website, the Secretariat was unable to find Tres RSZ Pest Control Services in the PhilGEPS registered suppliers;

WHEREAS, on 27 April 2021, the Secretariat asked Mr. Paul A. Diez, a representative from Tres RSZ Pest Control Services, if they are a registered supplier by the PhilGEPS, in which Mr. Diez confirmed that they are not yet approved by the PhilGEPS due to incomplete information in their registration;

WHEREAS, on 29 April 2021, the BAC convened to discuss and deliberate the matter at hand, in which the BAC instructed the Secretariat to verify through PhilGEPS, if there is a pending application from Tres RSZ Pest Control Services;

WHEREAS, on the same day, the Secretariat contacted PhilGEPS customer service, in which the Secretariat verified that Tres RSZ Pest Control Services is not yet registered to the PhilGEPS and there is no pending application from said supplier;

WHEREAS, Section 23.6 of the 2016 revised IRR of RA No. 9184 provides that:

*“Notwithstanding the eligibility of a bidder, the Procuring Entity concerned reserves the right to review the qualifications of the bidder at any stage of the procurement process **if the Procuring Entity has reasonable grounds to believe that a misrepresentation has been made by the said bidder, or that there has been a change in the bidder’s capability to undertake the project from the time it submitted its eligibility requirements.** Should such review uncover any misrepresentation made in the eligibility requirements, statements or documents, or any changes in the situation of the bidder which will affect the capability of the bidder to undertake the project so that it fails the eligibility criteria, **the Procuring Entity shall consider the said bidder as ineligible and shall disqualify it from obtaining an award or contract,** in accordance with Rules XXI, XXII, and XXIII of this IRR.”*

WHEREAS, upon careful deliberation and consideration of the information provided, the BAC made a consensus to recommend the cancellation of award to Tres RSZ Pest Control Services for the Provision of Pest Control Services;

NOW, THEREFORE, for and in consideration of the foregoing, **WE**, the Members of the BAC, hereby **RECOMMEND** to the Head of Procuring Entity the following:

- 1) **CANCELLATION OF AWARD to TRES RSZ PEST CONTROL SERVICES** for the **PEST CONTROL SERVICES** due to misrepresentation made in the eligibility requirements;
- 2) **AWARD OF CONTRACT to JTO PEST CONTROL SERVICES**, the bidder with the second LCRQ, in the amount of **ONE HUNDRED NINETY-NINE THOUSAND PESOS ONLY (₱199,000.00)**, inclusive of all appropriate taxes and fees; and
- 3) **APPROVAL** of the foregoing result/s.

RESOLVED, at the DOST-ASTI, Quezon City, this 5th day of May 2021.

MAY C. CAYABAN
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:

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

