



20 January 2020

**ASTI – BIDS AND AWARDS COMMITTEE
 BAC Resolution No. 20-001-005**

**DECLARATION OF FIRST FAILURE OF BIDDING FOR THE
 PROVISION OF TWELVE (12) MONTHS SECURITY SERVICES, FIVE (5) SECURITY PERSONNEL WITH
 SUPPLIES, MATERIALS & EQUIPMENT FOR CY 2020**

Purchase Request No.	:	<u>GAA-19-12-9371</u>
Date of Purchase Request	:	<u>02 December 2019</u>
Invitation to Bid No.	:	<u>19-12-3043</u>
Solicitation No.	:	<u>19-12-3043</u>
PhilGEPS Reference No.	:	<u>6775748</u>
Approved Budget for the Contract	:	<u>₱2,500,000.00</u>

WHEREAS, included in the Final and Approved Annual Procurement Plan (APP) for Fiscal Year 2020 of the Department of Science and Technology (DOST) - Advanced Science and Technology Institute (ASTI) is the Provision of Twelve (12) Months Security Services, Five (5) Security Personnel with Supplies, Materials & Equipment for CY 2020, which shall be undertaken through Public Bidding with an Approved Budget for the Contract (ABC) amounting to Two Million Five Hundred Thousand Pesos Only (₱2,500,000.00);

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 (HoPE);

WHEREAS, a Pre-procurement Conference was held on 19 December 2019, 1:30 in the afternoon, to determine the readiness of the procurement project at hand;

WHEREAS, on 30 December 2019, the Bids and Awards Committee (BAC) - 1 initiated the above procurement activity by posting the Invitation to Bid on the website of the Philippine Government Electronic Procurement System, website of the DOST-ASTI, and at a conspicuous place within the premises of the Procuring Entity;

WHEREAS, a Pre-bidding Conference was held on 07 January 2020, 1:30 in the afternoon, which was attended by only one (1) prospective bidder, specifically, Tough Guard Security & Investigation Agency, Inc.;

WHEREAS, on 14 January 2020, the BAC-1, through Supplemental Bulletin No. BAC-2020-01-002 amended the following sections of in the DOST-ASTI Bidding Documents:

- 1) Section III. Bid Data Sheet; and
- 2) Section VII. Technical Specifications.

WHEREAS, one (1) bidder purchased Bidding Documents in the amount of Five Thousand Pesos Only (₱5,000.00) on 07 January 2020, specifically, Tough Guard Security & Investigation Agency, Inc.;

WHEREAS, on the scheduled Submission of Bids on 20 January 2020, 12:00 noon, only one (1) bidder tendered their Bid, namely, Tough Guard Security & Investigation Agency, Inc.;

WHEREAS, on the same date, at 1:30 in the afternoon, the BAC-1 proceeded with the Opening and Preliminary Evaluation of Bids adopting the non-discretionary "pass/fail" criterion specified in the 2016 Revised Implementing Rules and Regulations (IRR) of RA No. 9184;

WHEREAS, during the stages of eligibility check and preliminary examination of bids, it was found out by the BAC-1 that the bidder's technical documents failed to comply with the following, hence, making the bidder ineligible:

- a) No verifiable evidence was attached to the Statement of the Bidder's Single Largest Completed Contract;
- b) Non-submission of Section VI. Schedule of Requirements; and

- c) Failure to attach the amended form or revise Section VII. Technical Specifications of the Bidding Documents.

WHEREAS, on the same date, the BAC-1 and the End-user Representative conducted a mandatory review of the procurement project;

WHEREAS, under Section 35 of the 2016 Revised IRR of RA No. 9184, the BAC shall declare the bidding (procurement) a failure when:

- 1) No bids are received;
- 2) All prospective bidders are declared ineligible;
- 3) All bids fail to comply with all the bid requirements or fail post-qualification, or, in the case of Consulting Services, there is no successful negotiation; or
- 4) The bidder with the LCRB, HRRB, SCRB or SRRB refuses, without justifiable cause, to accept the award of contract, and no award is made in accordance with Section 40 of the Act and its IRR.

WHEREAS, Section 12 of RA No. 9184 provides that the BAC shall, among other matters, recommend the award of contracts to the HoPE or his/her duly authorized representative.

NOW, THEREFORE, for and in consideration of the foregoing, **WE**, the Members of the BAC-1, hereby recommend, for approval of the Acting Director, the following:

- 1) **DECLARE** first failure of bidding for the Provision of Twelve (12) Months Security Services, Five (5) Security Personnel with Supplies, Materials and Equipment for CY 2020; and
- 2) **REPOST** the opportunity for second public bidding.

RESOLVED, at the DOST-ASTI, Quezon City, this 20th day of January 2020.


MAY C. CAYABAN
End-user


MYLENE N. MONTON
BAC-1 Member


CALVIN ARTEMIES G. HILARIO
BAC-1 Member


ROEL M. DE LA CRUZ
BAC-1 Member

M'am Joan - on leave
Today 1/22/20

JOANNA G. SYJUCO
BAC-1 Member


RENE C. MENDOZA
BAC-1 Vice Chairperson


PEDRITO B. MANGAHAS
BAC-1 Chairperson

APPROVED/DISAPPROVED:


JOEL JOSEPH S. MARCIANO, JR., Ph.D.
Acting Director

/bac-sec/vrs