



21 November 2024

ASTI – BIDS AND AWARDS COMMITTEE
BAC Resolution No. 24-11-262

RECOMMENDING AWARD OF CONTRACT VIA NEGOTIATED PROCUREMENT –
TWO FAILED BIDDINGS FOR THE SUPPLY AND DELIVERY OF ONE (1) LOT BENCHTOP FLATBED
UV PRINTER WITH ACCESSORIES

Purchase Request No.	: GAA-24-05-19270
Date of Purchase Request	: 24 May 2024
Request for Quotation No.	: 24-07-4916
Solicitation No.	: 24-07-4916
PhilGEPS Reference No.	: 11393197
Approved Budget for the Contract	: ₱1,600,000.00

WHEREAS, the Republic Act (RA) No. 9184, otherwise known as the “Government Procurement Reform Act”, provides that all procurement of the national government, its departments, bureaus, offices, and agencies, including state universities and colleges, government-owned and/or controlled corporations, government financial institutions and local government units, shall, in all cases be conducted in accordance therewith and its 2016 revised Implementing Rules and Regulations (IRR);

WHEREAS, the **Fiscal Year 2024 Supplemental Annual Procurement Plan No. 12** of the Department of Science and Technology (DOST) - Advanced Science and Technology Institute (ASTI) includes “**Supply and Delivery of One (1) Lot Benchtop Flatbed UV Printer with Accessories**”, to be procured through public bidding, with a total Approved Budget for the Contract amounting **One Million Six Hundred Thousand Pesos Only (₱1,600,000.00)**, inclusive of all government taxes, other fees and charges;

WHEREAS, the DOST-ASTI Bids and Awards Committee (BAC) received **Purchase Request No. GAA-24-05-19270** dated **24 May 2024**, together with a market study, for the procurement of the aforesaid item;

WHEREAS, the DOST-ASTI BAC declared two (2) failed public biddings for the procurement project;

WHEREAS, the first failure was due to the post-disqualification of the sole bidder due to non-compliance with the requirement for income and business tax returns filed and paid through the BIR Electronic Filing and Payments System within six (6) months prior to the bid submission date, which was declared through **BAC Resolution No. 24-08-165** dated **27 August 2024**;

WHEREAS, the second failure of bidding was declared through **BAC Resolution No. 24-10-216** dated **08 October 2024** due to no bids received;

WHEREAS, due to two (2) failed biddings, the DOST-ASTI BAC resorted to Negotiated Procurement after Two Failed Biddings as provided for in Section 53.1 of RA No. 9184 and its 2016 revised IRR of RA No. 9184;

WHEREAS, on **22 October 2024**, the Invitation for Negotiation was published on the websites of the PhilGEPS and DOST-ASTI, as well as in the latter’s conspicuous place reserved for the purpose, consistent with Section 21, Rule VII of the 2016 revised IRR of RA No. 9184;

WHEREAS, the deadline for submission of Best and Final Bid Offer/s for the procurement project was on **11 November 2024, 9:00 AM**;

WHEREAS, Letters of Invitation were sent to three (3) witnesses and/or observers, namely:

(1) Atty. Jarem J. Remigio

State Auditor II
Commission on Audit

(2) Ms. Imelda S. Carillo

President
Philippine Institute for Supply Management

(3) Mr. Danny Royeca

Secretary General
Philippine Chamber of Commerce and Industry

WHEREAS, on **28 October 2024, 09:00 AM**, a **Negotiation Conference** for said procurement was conducted by DOST-ASTI BAC through videoconferencing, specifically via MS Teams, which was opened to prospective bidders;

WHEREAS, as a result of the discussion and clarifications made during the Negotiation Conference, the DOST-ASTI BAC issued **Supplemental Bid Bulletin No. BAC-2024-11-035** on **04 November 2024**, answering the queries of the prospective bidders;

WHEREAS, one (1) prospective bidder submitted the eligibility, technical, and financial requirements prior to the deadline of submission on **11 November 2024, 09:00 AM**, particularly **Copy Data Systems Corporation**;

WHEREAS, the DOST-ASTI BAC opened the offers/quotations of the prospective bidders in public and in the presence of the bidders' representatives, via blended meeting arrangement, to determine the bidders' compliance with the eligibility, technical, and financial requirements specified in the Invitation;

WHEREAS, the DOST-ASTI BAC examined the submitted documents of the prospective bidders versus a checklist to ascertain if the required documents were all submitted, using a non-discretionary "pass or fail" criterion;

WHEREAS, it was determined by the DOST-ASTI BAC that **Copy Data Systems Corporation** submitted the required legal, technical, and financial documents/requirements. Thus, the DOST-ASTI BAC rated the legal, technical, and financial documents/requirements of **Copy Data Systems Corporation** bid as "**passed**";

WHEREAS, the DOST-ASTI BAC proceeded to open the financial component/documents submitted by **Copy Data Systems Corporation** and its price quotation amounted to **One Million Five Hundred Ninety-Eight Thousand Pesos Only (₱1,598,000.00)**, inclusive of all government taxes, other fees, and charges;

WHEREAS, after due evaluation, the DOST-ASTI BAC and end-user unit found the submission of **Copy Data Systems Corporation** to be complete, but with arithmetical corrections. The corrected bid of **Copy Data Systems Corporation** is **One Million Six Hundred Thousand Pesos Only (₱1,600,000.00)**;

WHEREAS, Section 34.4 of the 2016 revised IRR of RA No. 9184 provides:

"If the BAC determines that the bidder with the Lowest Calculated Bid/Highest Rated Bid passes all the criteria for post-qualification, it shall declare the said bid as the LCRB or HRRB, and recommend to the HoPE the award of contract to the said bidder at its submitted bid price or its calculated bid price, whichever is lower or, in the case of quality-based evaluation procedure, submitted bid price or its negotiated price, whichever is lower."

WHEREAS, based on the results of the evaluation and adopting Section 34.4 of the 2016 revised IRR of RA No. 9184, the DOST-ASTI BAC found that **Copy Data Systems Corporation** submitted the **Single Calculated Quotation** for said procurement project, with a total amount of **One Million Five Hundred Ninety-Eight Thousand Pesos Only (₱1,598,000.00)**;

WHEREAS, after verification of all statements made and documents submitted by **Copy Data Systems Corporation** the end-user unit and DOST-ASTI BAC determined that the submission of said

prospective bidder passed all the criteria and requirements of the Procuring Entity for the procurement project at hand;

NOW, THEREFORE, FOR AND IN CONSIDERATION OF THE FOREGOING, we, the members of the DOST-ASTI BAC hereby resolves to:

1. Declare the quotation of **Copy Data Systems Corporation** for the procurement project titled, **“Supply and Delivery of One (1) Lot Benchtop Flatbed UV Printer with Accessories”**, with a total price quotation of **One Million Five Hundred Ninety-Eight Thousand Pesos Only (₱1,598,000.00)**, as the **Single Calculated Responsive Quotation**; *and*
2. Award the contract to **Copy Data Systems Corporation** in the aforesaid amount through Negotiated Procurement after Two Failed Biddings.

RESOLVED, at the DOST-ASTI, Quezon City, this 21st day of November 2024.

ALVIN E. RETAMAR
End-user

NARCISA JUVILYN C. CASTAÑEDA
BAC Member

On official business

MERYL REGINE L. ALGODON, Ph.D.
BAC Member

On official business

JEFFREY A. ABOROT
BAC Vice Chairperson

HAROLD BRYAN S. PALER
BAC Member

PHILIP A. MARTINEZ
BAC Member

BAYANI BENJAMIN R. LARA
BAC Chairperson

APPROVED/DISAPPROVED:

for

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

/bac-sec/sdda/kbr