



18 July 2025

ASTI – BIDS AND AWARDS COMMITTEE
BAC Resolution No.: 25-07-132

RECOMMENDING THE TERMINATION OF CONTRACT TO ZIONEYES GENERAL MERCHANDISE FOR THE SUPPLY AND DELIVERY OF ONE (1) LOT CUSTOMIZED ASTICON 2025 PLAQUES AND RECOMMENING AWARD OF CONTRACT TO AWARDS CENTRAL PHILIPPINES, INC.

Purchase Request No.	:	GAA-25-06-21475
Date of Purchase Request	:	19 June 2025
Request for Quotation No.	:	25-06-5303
Solicitation No.	:	25-06-5303
PhilGEPS Reference No.	:	12166514
Approved Budget for the Contract	:	P50,400.00

WHEREAS, the Solutions and Services Engineering Division submitted to the DOST-ASTI Bids and Awards Committee (BAC) **Purchase Request No. GAA-25-06-21475** for the **Supply and Delivery of One (1) Lot Customized ASTICON 2025 Plaques** which was included in the **DOST-ASTI Annual Procurement Plan No. 9 for Fiscal Year 2025**,

WHEREAS, with an Approved Budget for the Contract (ABC) amounting to **Fifty Thousand Four Hundred Pesos Only (P50,400.00)**, the mode of procurement is pursuant to Section 53.9 (Small Value Procurement) of the 2016 revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184;

WHEREAS, on **26 June 2025**, the DOST-ASTI BAC, through its Secretariat, published the Request for Quotation (RFQ) and sent RFQs to three (3) suppliers of known qualifications, viz: (1) Zioneeyes General Merchandise; (2) Jets Trophy, Inc.; and (3) Award Central Philippines;

WHEREAS, before the lapse of the deadline for submission of quotations on **30 June 2025, 2:00 PM**, three (3) bidders submitted their respective quotations, particularly: **(1) Awards Central Philippines, Inc.**; **(2) Zioneeyes General Merchandise**; and **(3) E & C General Merchandise**;

WHEREAS, the End-user forwarded to the DOST-ASTI BAC Secretariat its evaluation which found the offer of **Zioneeyes General Merchandise**, for the aforementioned item, compliant with the eligibility requirements and specifications, which was verified by the DOST-ASTI BAC;

ITEM NO.	DESCRIPTION	QTY.	UNIT	UNIT PRICE (P)	TOTAL AMOUNT (P)
1	Supply and Delivery of One (1) Lot Customized ASTICON 2025 Plaques	1	Lot	42,000.00	42,000.00
TOTAL BID AMOUNT (P)					42,000.00

WHEREAS, the DOST-ASTI BAC recommended the award of contract for the above item in favor of **Zioneeyes General Merchandise** through **DOST-ASTI BAC Resolution No. 25-07-118** dated **02 July 2025**, and, accordingly, the DOST-ASTI BAC through its Secretariat, issued a Notice of Award (NOA) to the said supplier;

WHEREAS, the NOA was accepted by **Zioneeyes General Merchandise** and, thereafter, Purchase Order (PO) No. 25-07-140 dd. 08 July 2025 (Contract) and Notice to Proceed were issued by the DOST-ASTI BAC and accepted by **Zioneeyes General Merchandise**;

WHEREAS, on **17 July 2025**, the end-user submitted a Memorandum (**Annex "A"**) to DOST-ASTI BAC informing that the bidder did not meet the required specifications nor conform to the approved design. Hence, the end-user decided to cancel the Contract which was approved by the Hope of the Procuring Entity (HoPE);

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, the Government Procurement Policy Board, in its Non-Policy Matter 022-2018 dated 26 June 2018 opined that:

“[O]n the premise that a previous award of contract has been cancelled and there is one remaining bidder that has to go through the process of bid evaluation and post-qualification, we refer to Section 40 of RA No. 9184 and its 2016 IRR, which can be applied suppletorily in the application of the cited provision of Section 23.6 of the IRR of RA No. 9184, thus:

*If, for justifiable causes, the bidder with the Lowest Calculated Responsive Bid or Highest Rated Responsive Bid fails, refuses, or is **otherwise unable to enter into contract with the Procuring Entity,** or if the bidder fails to post the required performance security within the period stipulated in the Bidding Documents, **the BAC shall disqualify the said bidder and shall undertake post-qualification for the next-ranked Lowest Calculated Bid or Highest Rated Bid. This procedure shall be repeated until an award is made.** However, if no award is possible, the contract shall be subjected to a new bidding.*

*Based on the foregoing, the cancellation of award necessarily makes the bidder previously declared as having submitted the Lowest Calculated Responsive Bid (LCRB) unable to enter into a contract with the Procuring Entity, and it is disqualified to obtain the contract award. **Accordingly, post-qualification may be undertaken for the next Lowest Calculated Bid, and if award is not possible, the contract shall be subjected to re-advertisement and rebid.**”*

WHEREAS, the Government Procurement Policy Board, in its Guidelines to the Termination of Contract stated that:

III. GROUNDS FOR TERMINATION OF CONTRACTS

A. Termination for Default

1. In contracts for Goods :

The Procuring Entity shall terminate a contract for default when any of the following conditions attend its implementation:

- a) Outside of force majeure, the Supplier fails to deliver or perform any or all of the Goods within the period(s) specified in the contract, or within any extension thereof granted by the Procuring Entity pursuant to a request made by the Supplier prior to the delay, and such failure amounts to at least ten percent (10%) of the contract price;*
- b) As a result of force majeure, the Supplier is unable to deliver or perform any or all of the Goods, amounting to at least ten percent (10%) of the contract price, for a period of not less than sixty (60) calendar days after receipt of the notice from the Procuring Entity stating that the circumstance of force majeure is deemed to have ceased; or*

c) The Supplier fails to perform any other obligation under the Contract.

WHEREAS, based on the Abstract of Quotations, **Awards Central Philippines, Inc.** was the 2nd bidder with the Lowest Calculated Quotation;


WHEREAS, the end-user, in its evaluation, found **Awards Central Philippines, Inc.** as compliant with the requirements for the aforementioned item, thereby making the same as the second bidder with the Lowest Calculated Responsive Quotation (LCRQ).

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

- 1) Terminate the contract with **ZIONEYES GENERAL MERCHANDISE** for the **SUPPLY AND DELIVERY OF ONE (1) LOT CUSTOMIZED ASTICON 2025 PLAQUES** due to their incapability to undertake the procurement project;

- 2) Award the **SUPPLY AND DELIVERY OF ONE (1) LOT CUSTOMIZED ASTICON 2025 PLAQUES** to **AWARDS CENTRAL PHILIPPINES, INC.**, the bidder with second LCRQ, in the amount of **FIFTY THOUSAND FOUR HUNDRED PESOS ONLY (P50,400.00)**, inclusive of all appropriate taxes and fees; and
- 3) Recommend for the approval of the HoPE of the foregoing results.

Done in Quezon City, Philippines, this 18th day of July 2025.

ALVIN E. RETAMAR
End-user 

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

PHILIP A. MARTINEZ
BAC Member

RAMON VANN CLEFF B. RARO
BAC Member

JAYMAR L. JARINA
BAC Member

BAYANI BENJAMIN R. LARA
BAC Vice Chairperson

JEFFREY A. ABOROT
BAC Chairperson

APPROVED/DISAPPROVED:

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