



23 May 2022

**ASTI – BIDS AND AWARDS COMMITTEE
BAC Resolution No. 22-05-074**

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

Purchase Request No.	:	NetMeshR11-22-04-13594
Date of Purchase Request	:	20 April 2022
Invitation to Bid No.	:	22-04-3817
Solicitation No.	:	22-04-3817
PhilGEPS Reference No.	:	8638524
Approved Budget for the Contract	:	₱1,352,000.00

WHEREAS, included in the Supplemental Annual Procurement Plan (APP) No. 5 for Fiscal Year 2022 of the Department of Science and Technology (DOST) - Advanced Science and Technology Institute (ASTI) is the **Supply and Delivery of One (1) Lot Laptops for Testing** with a total Approved Budget for the Contract (ABC) amounting to **One Million Three Hundred Fifty-Two Thousand Pesos Only (₱1,352,000.00)**;

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, given the exceptional circumstances brought about by the Coronavirus disease (COVID-19) pandemic, especially implementation of different community quarantines and suspension of public transport services, it is challenging to both the Procuring Entities (PEs) and the bidders to continue with the conduct of procurement activities, thereby having risks of exceeding the maximum calendar days allowed for specific procurement activities. In view of this, the Government Procurement Policy Board (GPPB) issued GPPB Resolution No. 09-2020 dated 07 May 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 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, on 04 May 2022, the Invitation to Bid for the Supply and Delivery of One (1) Lot Laptops for Testing was published on the Philippine Government Electronic Procurement System, DOST-ASTI website, 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 11 May 2022, 09:00 in the morning, which was attended by only one (1) prospective bidder, specifically, Infobahn Communications, Inc.;

WHEREAS, on 16 May 2022, the BAC issued Supplemental Bulletin No. BAC-2022-05-015 amending Section VI. Schedule of Requirements and Section VII. Technical Specifications of the Bidding Documents;

WHEREAS, on the scheduled Submission of Bids on 23 May 2022, 09:30 in the morning, no bidders tendered bids; and

WHEREAS, Section 35.1(a) of the 2016 revised IRR of RA No. 9184 provides that the BAC shall declare the bidding a failure when no bids are received.

NOW, THEREFORE, for and in consideration of the foregoing, **WE**, the Members of the BAC, **RESOLVE**, as it is hereby **RESOLVED**, to:

- 1) **DECLARE** first failure of bidding for the Supply and Delivery of One (1) Lot Laptops for Testing;
- 2) **CONDUCT** mandatory review and revise the terms, conditions, and specifications, and if necessary, adjust the ABC based on the findings in the mandatory review; and
- 3) **REPOST** the opportunity for second public bidding.

RESOLVED, at the DOST-ASTI, Quezon City, this 23rd day of May 2022.

ALVIN E. RETAMAR
End-user

GIRLIE D. FERNANDEZ
BAC Member

ROXANNE S. AVIÑANTE
BAC Member

JOVEN C. JAVIER
BAC Member

MARY DROL DEE Q. GILLA
BAC Member

EMMANUEL P. BALINTEC
BAC Vice Chairperson

BAYANI BENJAMIN R. LARA
BAC Chairperson

APPROVED/DISAPPROVED:

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