



BAC RESOLUTION NO. 050
 Series of 2022

Ref. No.050_PIAMISD 2022

**RESOLUTION DECLARING FAILURE OF BID FOR THE
 PROCUREMENT OF ICT EQUIPMENT LOTS 1 AND 2
 Bid Reference No. ITB 2022-06**

WHEREAS, the Philippine Information Agency office of the Management Information System Division (MISD) submitted its Purchase Request (PR) and Terms of Reference (ToR) for the of Procurement Lot I - High Performance Laptop and Lot 2- Midrange Laptop (ITB 2022-06) with an Approved Budget for the Contract (ABC) of **TWO MILLION FOUR HUNDRED SIXTY-ONE THOUSAND EIGHT HUNDRED FORTY PESOS & 50/100 ONLY (Php 2,461,840.50)** inclusive of tax and included in the Agency’s Annual Procurement Plan ;

WHEREAS, Procurement of the following, was categorized into two (2) lots with details as follows;

OBJECT OF BIDDING		Approved Budget for the Contract (ABC)
Lot Nos	Particulars	
Lot 1	17 units High Performance Laptop	PHP 2,000,628.00
Lot 2	7 units Midrange Laptop	Php 461,212.50

WHEREAS, the Bids and Awards Committee (BAC), as mandated by Republic Act (RA) No. 9184, otherwise known as the “Government Procurement Reform Act, is the body tasked to post invitation to bid, to conduct pre-bid conferences, to determine the eligibility of prospective bidders, to receive and open bids, to conduct the evaluation of bids, to conduct post-qualification and to recommend award of contracts to the Head of the Procuring Entity (HOPE);

WHEREAS, pursuant to the rules of Competitive Bidding, the BAC together with its Secretariat, Members of the Technical Working Group (TWG) and End-User Representative conducted a Pre-Procurement Conference on 27 September 2022 2:00 PM at the Procurement Conference Room;

WHEREAS, on 03 October 2022 Invitation to Bid **(ITB 2022-06): Public Bidding for Goods for the Procurement of ICT Equipment for Lots 1 and 2** was published in the Philippine Government Electronic Procurement System (PhilGEPS), in the PIA website (www.pia.gov.ph), PIA official social media account and in the Bids and Awards Committee Bulletin Board within the premises of PIA;

WHEREAS, for purposes of transparency and good governance, the BAC through its Secretariat invited observers from the Commission of Audit (COA) and two (2) other non-government organizations namely Philippine Rural

Reconstruction Movement (PRRM) and Philippine Chamber of Commerce and Industry (PCCI) to witness the Pre-Bid Conference and Bid Opening. However, only COA Representative is present for the said activities during the Bid Opening. Copies of the letter of invitations are hereto attached;

WHEREAS, on 11 October 2022 at 1:30 PM the Bids and Awards Committee (BAC) held the Pre-Bid Conference at the PIA Conference Room which was attended by the prospective bidder from 1) Unison Computer Systems Inc.;

WHEREAS, Unison did not raise any issue on the Approved Budget for the Contract during the pre-bid conference;

WHEREAS, on 24 October 2022, the Secretariat received a letter from Unison stating that they will not be able to participate in the bidding due to the Foreign Exchange (FOREX) rate fluctuations. The unexpected increase of the US Dollar (USD) vs Philippine Peso (PHP) exchange resulted to over-budget of the laptops versus cost;

WHEREAS, on 24 October 2022 at 12:00 NN the deadline for the submission and receipt of bids, the Committee through its secretariat did not receive any bids from prospective supplier;

WHEREAS, Section 35.1. (a) of the IRR RA9184 provides that the BAC shall declare a failure of bidding when no bids were received;

WHEREAS, Section 35.2. of the same Act provides that in order to determine the reason of the failed bidding , the BAC shall conduct a mandatory review and evaluation of the terms, conditions and specifications in the Bidding Documents, including its cost estimate;

WHEREAS, after reviewing the Purchase Request with the End User and TWG Representatives , it was determined that the Approved Budget for the Contract (ABC) has been affected by the Foreign Exchange (FOREX) rate fluctuations. Consequently, it is necessary to re-evaluate its Purchase Request taking into consideration the current market value;

WHEREAS, Section 35.3 of the same Act based on its findings, the BAC shall revise the terms, conditions, and specifications, and if necessary, adjust the ABC, subject to the required approvals, and conduct a re-bidding with re-advertisement and/or posting, as provided for in Section 21.2 of this IRR.

NOW, THEREFORE, in consideration of the foregoing, WE, the Members of the **PIA BIDS AND AWARDS COMMITTEE**, unanimously resolve to the following;

1. **DECLARE FAILURE OF BIDDING** for the Procurement of ICT Equipment for Lots 1 and 2 pursuant to Section 35.1.a of the IRR of RA 9184;
2. **RECOMMEND** the End-User Representative for the re-evaluation and/or revision of its Purchase Request ;

This resolution shall take effect immediately.

APPROVED this 25th day of **OCTOBER 2022** at Quezon City, Philippines.

MARK FOR REDACTION

ATTY. CARMELO C. DIMASO
Chairperson, BAC

MARK FOR REDACTION

GIRLIE G. BANGUNAN
Vice-Chairperson, BAC

MARK FOR REDACTION

ATTY. JOSEPH ADRIAN B. LLAMES
Member

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MA. BUENA FE D. DE GUZMAN
Member

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JAYSON F. REQUIAD
Member

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GARY M. PENULIAR
End User Representative

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KARL LOUIE B. FAJARDO
Deputy Director-General