



**RESOLUTION RECOMMENDING THE AWARD OF THE CONTRACT via
PUBLIC BIDDING TO EXCELLENT GENERAL SERVICES, INC. FOR THE
EARLY PROCUREMENT JANITORIAL SERVICES FOR PIA CENTRAL
OFFICE AND NCR REGIONAL OFFICE (ITB 2022-05)**

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 Department of Budget and Management (DBM) Memorandum Circular No. 2022-01, dated 24 March 2022, "Guidelines on the Grant of Performance Based Bonus (PBB) for Fiscal Year (FY) 2022 under Executive Order No 80, S. 2012 and Executive Order No. 201, s.2016

5.0 AGENCY ACCOUNTABILITIES

To sustain the institutionalization of compliance to existing government-mandated laws and standards, agencies and their Performance Management Team (PMT) shall continue to implement, monitor, and enforce compliance with the following requirements within their agencies:

xxx xxx

xxx xxx

j. Undertaking of Early Procurement Activities covering 2023 Procurement Projects”

WHEREAS, the Philippine Information Agency – Administrative Division (ADMIN) submitted its Purchase Request (PR) and Terms of Reference (ToR) for the Early Procurement of Janitorial Services for PIA Central Office (ITB 2022-05) with an Approved Budget for the Contract (ABC) of **FOUR MILLION THREE HUNDRED THIRTY-FIVE THOUSAND PESOS ONLY (Php 4,335,000.00)** inclusive of tax and included in the Indicative Annual Procurement Plan of the Agency for FY 2023;

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 at 2:00 PM at the PIA Procurement Conference Room;

WHEREAS, on 29 September 2022 Invitation to Bid **(ITB-2022-05): Public Bidding for Goods and Services for the Early Procurement of One (1) Lot Janitorial Services for PIA Central Office and NCR Regional Office for One Year FY 2023** was posted 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, no representative attended the said activities. Copies of the letter of invitations are hereto attached;

WHEREAS, on 07 October, 2022 at 1:30 PM the Bids and Awards Committee (BAC) held the Pre-Bid Conference which was attended by four (4) suppliers namely 1) Excellent General Services, Inc, 2) MEGA Maintenance Support and Allied Services, Inc, (3) CMPT Manpower Services, and (4) Euro Janitorial Services, Co.;

WHEREAS, in response to the above-mentioned Invitation to Bid (ITB 2022-05) for the Early Procurement of Janitorial Services for PIA Central Office CMPT Manpower Services, Inc, Excellent General Services, Inc, and Euro Janitorial Services, Co. and MEGA Maintenance Support and Allied Services, Inc, signified their interest to join the bidding process and purchased the Bidding Documents;

WHEREAS, on the specified date and time of the deadline of submission of Bids, CMPT Manpower Services, Inc, Excellent General Services, Inc, and Euro Janitorial Services, Co. submitted their bid proposal on time;

WHEREAS, during the opening of bids on 20 October 2022 at 1:30 P.M., attended by the BAC in quorum, its Secretariat, End-User Representative, designated Technical Working Group (TWG) Representative and bidder's representative, the bid proposals were evaluated using the non-discretionary "PASS/FAIL" criterion;

WHEREAS, during the Bid Opening, the issue of non-inclusion of neuropsychiatric evaluation of some of the bidders in their bid proposals was raised;

WHEREAS, after due deliberation, the BAC resolved to proceed with the opening of the Technical and Legal proposal and to postpone the opening of the Financial Bid Envelope in order to properly resolve the issue raised;

WHEREAS, a Notice of Postponement was issued on 21 October 2022 rescheduling the opening of the Financial Bid Envelope to 27 October 2022 at 1:30PM. The Notice was served by the Secretariat via email and caused the posting in its website and social media accounts;

WHEREAS, on 24 October 2022, the BAC in quorum, resolved that the Neuro-Psychiatric Evaluation is a requirement to be submitted after award to a qualified supplier. Thereafter, an amended Notice was issued by the BAC, rescheduling the opening of the Financial Bid Envelope on 25 October 2022 at 1:30 PM;

WHEREAS, on 25 October 2022, the BAC resumed the opening of the Financial Bid Envelope, witnessed by representatives of the suppliers;

WHEREAS, after the evaluation of bid proposal submitted by Euro Janitorial Services, Co., the aforementioned bidder passed all the criteria in Technical Eligibility and Financial Eligibility and was declared as Lowest Calculated Bid;

WHEREAS, on 28 October 2022, the Secretariat served upon Euro Janitorial Services, Co., the Notice of Post Qualification. The same was acknowledged by Euro on 28 October 2022;

WHEREAS, Euro Janitorial Services, Co., failed to submit its Post Qualification documents as required under Section 34.3 of Rule X of the Implementing Rules of RA 9184 which states that;

“Within five (5) calendar days from receipt by the bidder of the notice from the BAC that the bidder has the Lowest Calculated Bid or Highest Rated Bid, the bidder shall submit to the BAC its latest income and business tax returns, and other appropriate licenses and permits required by law and stated in the Bidding Documents”

WHEREAS, on 03 November 2022, a Notice of Post Disqualification was issued and served to Euro Janitorial Services;

WHEREAS, on 04 November 2022, a letter seeking reconsideration was submitted by Euro;

WHEREAS, a reply letter was issued by the BAC on 08 November 2022, denying Euro’s request for reconsideration, on the basis of Section 34.2 of the IRR of RA9184 and GPPB NPM 006-2013 stating,

“Section 34.2 of the IRR of RA 9184 is mandatory, and not discretionary, and this is clear from the wordings of the provision. Hence, there must be compliance with the documentary requirements enumerated in Section 34.2 of the IRR before a bidder may be considered post-qualified. Based on the provision, **the inability of the bidder to submit the requirements on time, or if there is a finding against the veracity of the submitted documents, would necessarily result to forfeiture and disqualification.** The intention of the rule is clear, that is, to forfeit the bid security and disqualify the bidder for failure to comply with Section 34.2 of the IRR”

WHEREAS, on 04 November 2022, in compliance with section 34.6 of the IRR of RA 9184, a Notice of Post Qualification was issued and served to the second bidder, CMPT Manpower Services;

WHEREAS, pursuant to the instruction of the BAC, the designated TWG and End User Representative conducted the necessary Post Qualification proceedings to CMPT on 09 November 2022 to verify and validate the bidder's submitted documents;

WHEREAS, on 17 November 2022, the TWG submitted its report to the BAC. The TWG, in its report, noted that CMPT failed to provide proof that it can provide the necessary supplies, materials and equipment to undertake the contract. CMPT, however, claimed that their supplies, materials and equipment are in their warehouse in Pulilan, Bulacan;

WHEREAS, on 21 November 2022, the TWG and End-User representative conducted another post-qualification activity in Pulilan Bulacan to ascertain the claim of CMPT;

WHEREAS, on 25 November 2022, the TWG submitted its report to the BAC. The report stated that the team did not see any supplies, materials and equipment relating to janitorial services as claimed by CMPT;

WHEREAS, the BAC resolved to post disqualify CMPT on the basis of Section 23.6 of the IRR of RA 9184, which 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, a Notice of Post Disqualification was issued and served to CMPT on 28 November 2022;

WHEREAS, on 29 November 2022, in accordance with Section 34.7 of the IRR of RA 9184, a Notice of Post Qualification was issued to the third bidder, Excellent General Services. Excellent, thereafter, submitted its Post Qualification Documents on 02 December 2022;

WHEREAS, on 05 December 2022, the TWG and End-User representative conducted Post Qualification activities to validate, verify and ascertain all the eligibility, technical and financial requirements submitted by Excellent;

WHEREAS, after validation and verification of all eligibility, technical and financial requirements, the bid of Excellent Manpower Services, Inc. was found to conform to the requirements of PIA and the law, and its bid proposal inclusive of tax is within the ABC, thereby rendering the same as the Lowest Calculated Responsive Bid;

WHEREAS, pursuant to Section 37 of the Revised Implementing Rules and Regulations of RA 9184, the BAC shall recommend to the HoPE the award of contract to the bidder with the LCRB, HRRB, SCRB or SRRB after post-qualification process has been completed;

NOW, THEREFORE, in consideration of the foregoing, WE, the Members of the **PIA CENTRAL OFFICE BIDS AND AWARDS COMMITTEE**, by virtue of the powers vested on us by law, hereby **RECOMMENDS** the award of contract to **EXCELLENT MANPOWER SERVICES, INC.** as the bidder with the **LOWEST CALCULATED AND RESPONSIVE BID** for the **EARLY PROCUREMENT OF JANITORIAL SERVICES FOR PIA CENTRAL OFFICE AND NCR REGIONAL OFFICE FOR FY 2023** in the amount of **FOUR MILLION TWO HUNDRED NINETY-EIGHT THOUSAND TWO HUNDRED EIGHTY-THREE PESOS ONLY (PHP 4,298,283.00)** inclusive of appropriate taxes and fees.

This resolution shall take effect immediately.

APPROVED this **12th** day of **JANUARY 2023** at Quezon City, Philippines.

MARK FOR REDACTION

ATTY. JAIME O. DIMSON
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
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ANNIE LYN P. HALCON
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ATTY. JULIUS S. DE PERALTA

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RAMON LEE CUALOPING III
Director General