



**RESOLUTION DECLARING FIRST FAILURE OF BID FOR THE
EARLY PROCUREMENT OF ONE (1)- LOT SECURITY SERVICES FOR
PHILIPPINE INFORMATION AGENCY FOR ONE YEAR FY 2023 AND
RECOMMENDATION TO REBID Bid Ref No. ITB 2022-04**

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 (EO) No 80, S. 2012 and EO 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:

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

WHEREAS, the Philippine Information Agency – Administrative Division submitted its Purchase Request (PR) and Terms of Reference (ToR) for the Early Procurement of One (1) Lot Security Services for Philippine Information Agency for One Year FY 2023 with an Approved Budget for the Contract (ABC) of **EIGHT MILLION TWO HUNDRED THOUSAND PESOS ONLY (Php 8,200,000.00)** 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 22 November 2022 at 10:00 AM;

WHEREAS, on 24 November 2022 Invitation to Bid (ITB-2022-04): Public Bidding for Goods for the Early Procurement of One (1) Lot Security Services for Philippine Information Agency for One Year FY 2023 was published and 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 02 December 2022 2022 at 1:30 PM the Bids and Awards Committee (BAC) held the Pre-Bid Conference attended by 1.) 168 Security Services Inc., 2.) Ex Bataan Security Agency Inc, 3.) Lockheed Royale Sec;

WHEREAS, during the scheduled submission of bids on 14 December 2022, only 168 Security Services Inc. submitted its bid;

WHEREAS, on 15 December 2022, the COBAC after the opening and evaluation of the bid submitted, declared 168 Security Services Inc. as the Single Calculated Bid;

WHEREAS, on 20 December 2022 the BAC TWG together with the End-User representative conducted post qualification activities to verify, validate and ascertain the legal, financial and technical qualification of 168 Security Services Inc.;

WHEREAS, the TWG reported that 168 Security Services Inc expressly refused to present the required thirty two (32) units of CCTV cameras and K-9 capability: bomb/drug sniffing dogs;

WHEREAS, Item No 4 of Section V of the published Bidding Document requires the bidder to present during post qualification of its equipment, tools and materials;

WHEREAS, Section 34 of Rule X of the IRR of RA 9184 provides that if the BAC determines that the bidder with the Lowest Calculated Bid fails the criteria for post qualification, it shall declare such bidder post disqualified;

WHEREAS, GPPB NPM NO. 024-2018 states that;

“In the event that the verification, validation, and ascertainment conducted by the Procuring Entity (PE) yield a negative result; or on the scheduled date of inspection, the bidder fails to present the sample good or equipment for examination or evaluation, the BAC has the prerogative to declare the bidder post-disqualified for failure to comply with the requirements. Additionally, in case the BAC determines that the bidder with the LCB or HRB fails the criteria for post-qualification, it shall immediately notify the said bidder in writing of its post-disqualification and the grounds therefor pursuant to Sections 34.3 and 34.5 of the 2016 IRR.”

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

1. To **DECLARE 168 Security Services Inc.**, post disqualified for its failure to present its materials, tools and equipment during post qualification as required by the Bidding Documents ;
2. To **RECOMMEND** the declaration of Failure of Bid;
3. To **RECOMMEND** the End User to conduct review of the technical specifications and terms of reference;
4. To **RECOMMEND** to the Head of the Procuring Entity (HoPE) for mandatory re-bidding provided under Rule X Section 35.3 of the IRR RA 9184.

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
Member

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JAYSON P. LEGUIAB
Member

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ANNIE LYN P. HALCON
Member

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ATTY. JULIUS S. DE PERALTA
End-User Representative

APPROVED:

MARK FOR REDACTION

RAMON LEE CUALOPING III
Director-General