



Presidential Communications Office  
Philippine Information Agency  
*Ahensiyang Pang-impormasyon ng Pilipinas*



**BAC RESOLUTION NO. 009**  
*Series of 2024*

**Ref. No 009\_PIABAC2024**

**DECLARATION OF DISQUALIFICATION OF SD PUBLICATIONS, INC  
AND FIRST FAILURE OF BID FOR THE PROCUREMENT OF ONE (1) LOT  
JANITORIAL SERVICES FOR PIA CENTRAL OFFICE FOR JUNE TO  
DECEMBER 2024 (ITB 2024-02)**

**WHEREAS**, the Philippine Information Agency – Administrative Division (Admin) submitted its Purchase Request (PR) and Terms of Reference (ToR) for the Procurement of One (1) Lot Janitorial Services for PIA Central Office for June – December 2024 (ITB 2024-02) with an Approved Budget for the Contract (ABC) of **TWO MILLION NINE HUNDRED EIGHTY THOUSAND EIGHT HUNDRED THIRTY-THREE PESOS ONLY AND 33/100 (Php 2,980,833.33)** inclusive of tax and included in the Annual Procurement Plan of the Agency for FY 2024;

**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 04 April 2024 at 1:30 PM;

**WHEREAS**, on 08 April 2024 Invitation to Bid (**ITB 2024-02**): **Public Bidding for Goods for the Procurement of One (1) - Lot Janitorial Services for PIA Central Office for June to December 2024 (ITB 2024-02)** was posted in the Philippine Government Electronic Procurement System (PhilGEPS), in the PIA website ([www.pia.gov.ph](http://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 on 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**, from 08 April 2024 to 29 April 2024, the bidding documents were made available for procurement for interested prospective bidders;

**WHEREAS**, the BAC in quorum, its Secretariat, End-User Representative and TWG Representative conducted a scheduled Pre-Bid Conference on 16 April 2024 at 2:00 PM. The activity was participated by two (2) prospective bidders namely 1) Silver Green Manpower Services Corporation and 2) Excellent General Services, Inc.;

**WHEREAS**, a Supplemental Bid Bulletin was issued and published on 18 April 2024;

**WHEREAS**, the deadline of Submission of bids is on 29 April 2024 at 12:00 PM;

**WHEREAS**, SD Publications, Inc purchased the bidding documents on 29 April 2024 with Official Receipt 6760208 and submitted its bid at exactly 11:18 AM;

**WHEREAS** the BAC in quorum<sup>1</sup>, it's Secretariat, End-User Representative, designated Technical Working Group (TWG) Representative and Dave Galano of SD Publications Inc as their authorized representative attended the Bid Opening on 29 April 2024 at 1:30 PM . The bid proposal was evaluated using the non-discretionary "PASS/FAIL" criterion;

**WHEREAS**, at the time of the bid opening, the prospective bidder submitted one (1) large package marked as from "**SD PUBLICATIONS**"<sup>2</sup>. Upon opening, it contained two large envelopes. The first large envelope is marked as "**VIBAL FOUNDATION, INC.**"<sup>3</sup> and contained five (5) brown envelopes<sup>4</sup> each of the five brown envelopes are sealed and signed on the seams and were marked as "**VIBAL FOUNDATION, INC.**"<sup>5</sup>;

**WHEREAS**, after opening the five envelopes, the Committee observed that the documents contained therein pertain to the legal and technical documents of Vibal Group Inc;

**WHEREAS**, the Committee, moved to resolve the issue of whether or not the bid should be considered submitted by Vibal;

**WHEREAS**, after due deliberation, the committee arrived at the conclusion that the bid was submitted by SD Publications and not Vibal Foundation, Inc., based on the following circumstances, to wit:

- a) That **it was SD Publications, Inc who purchased the bidding documents** with Official Receipt No. 6760208 and not Vibal Group, Inc.<sup>6</sup>;
- b) That, **based on the outer packaging**, it was SD Publication who submitted the bid and not Vibal;
- c) That **the authorized bidders' representative who attended the Bid Opening is from SD Publications, Inc.** which could only mean that the bid was from SD Publications and not Vibal;

**WHEREAS**, after careful and meticulous discussion and deliberation of the BAC the bid proposal of SD Publications, Inc. was declared as "DISQUALIFIED"<sup>7</sup>;

**WHEREAS**, pursuant to Section 35.1, Rule X of the 2016 Revised IRR provides for the authority of the BAC to declare a failure of bidding when:

Section 35. Failure of Bidding

35.1 The BAC shall declare the bidding a failure when:

- a.) No bids are received;

<sup>1</sup> Annex A. BAC Meeting Attendance Sheet for April 29, 2024

<sup>2</sup> Annex B. Photo of Outer most Packaging

<sup>3</sup> Annex B-1. 1<sup>st</sup> Big envelope

<sup>4</sup> Annex B-2.

<sup>5</sup> Annex B-3. Brown envelope containing Technical Bid Proposal

<sup>6</sup> Annex C. Copy of Official Receipt No. 6760208

<sup>7</sup> Annex D. Minutes of the Meeting

- b.) All prospective bidders are declared ineligible
- c.) All bids fail to comply with all the bid requirements or post qualification, or x x x x”

**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**, 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 1st FAILURE OF BIDDING** for Procurement of One (1) Lot Janitorial Services for PIA Central Office for June – December 2024 (ITB 2024-02 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 / Technical Specification / Bidding Documents;

This resolution shall take effect immediately.

APPROVED this 4<sup>th</sup> of **JUNE 2024** at Quezon City, Philippines.

MARK FOR REDACTION

**ALBERTO M. LORENZO**  
Chairperson, BAC

MARK FOR REDACTION

**GIRLIE G. BANGUNAN**  
Vice-Chairperson, BAC

Per NPM No. 022-2018  
NPM No. 024-2018

MARK FOR REDACTION

**LORENZA O. CRUZ**  
Member, BAC

MARK FOR REDACTION

**BRADLEY S. DE LEON**  
Member, BAC

MARK FOR REDACTION

**JASMINE JOY G. JUAN**  
Member, BAC

MARK FOR REDACTION

**SIXTO PAULO S. AGATO**  
Provisional Member, BAC

MARK FOR REDACTION

**ATTY. JULIUS S. DE PERALTA**  
End-User Representative

Approved / Disapproved

MARK FOR REDACTION

**WILSON T. BUERANO JR.**  
Deputy Director-General