



BAC RESOLUTION NO. 001

Series of 2025

Ref. No 001_PIAHRDD2025

**RESOLUTION DECLARING SECOND FAILURE OF BID FOR THE EARLY
PROCUREMENT ACTIVITY FOR THE SUPPLY AND DELIVERY OF ONE (1)
LOT ALL-IN-ONE DESKTOP COMPUTERS AND MID-RANGE LAPTOPS
RECOMMENDING TO UNDERTAKE via ALTERNATIVE METHOD
NEGOTIATED PROCUREMENT – TWO FAILED BIDDINGS AND
MID-RANGE LAPTOPS (ITB 2024-09-A)**

WHEREAS, the Philippine Information Agency – Human Resources Development Division (HRDD), submitted its Purchase Request for the **EARLY PROCUREMENT ACTIVITY FOR THE SUPPLY AND DELIVERY OF ONE (1) LOT ALL-IN-ONE DESKTOP COMPUTERS AND MID-RANGE LAPTOPS (ITB 2024-09-A)** with an Approved Budget for the Contract (ABC) of **ONE MILLION TWO HUNDRED SEVENTY-FOUR THOUSAND PESOS ONLY (Php 1,274,000.00)** inclusive of tax and included in the Indicative Annual Procurement Plan of the Agency;

WHEREAS, pursuant to the rules of Competitive Bidding, the Bids and Awards Committee (BAC) together with its Secretariat, Members of the Technical Working Group (TWG) and End-User Representative conducted a Pre-Procurement Conference on 17 December 2024 at 11:00 AM;

WHEREAS, on 18 December 2024, Invitation to Bid (ITB 2024-09-A): **Public Bidding for Goods for the Early Procurement Activity for the Supply and Delivery of One (1) lot All-in-One Desktop Computers and Mid-Range Laptops (ITB 2024-09-A)** was published on 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 consistent with Section 21, Rule VII of the 2016 revised IRR of RA 9184;

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 and Philippine Chamber of Commerce and Industry to witness the Pre-Bid Conference and Bid Opening. However, no representative attended the Pre-Bid Conference. Copies of the letter of invitations are hereto attached;

WHEREAS, on 26 December 2024 at 10:00 AM, the BAC conducted a Pre-Bid Conference via a hybrid setup. The conference was attended by supplier representatives through video conferencing (*Google Meet Link:*

meet.google.com/eqx-beef-wpf) specifically from 1) Terabit Computer Systems Corp and 2) Idenico Computer Corp;

WHEREAS, as a result of discussion and clarifications, the BAC issued and published **Supplemental Bid Bulletin No. 01** dated 26 December 2024;

WHEREAS, during the scheduled deadline of submission of bids on 7 January 2025 at 10:00 AM, no bidder submitted or signified their intent to bid;

WHEREAS, on 7 January 2025 at 10:00 AM, opening of bids was conducted via a hybrid setup (*Google Meet Link: meet.google.com/jfx-tqpi-hip*) attended by the BAC in quorum, its Secretariat, End-User Representative, designated Technical Working Group (TWG) and observer from Commission on Audit;

WHEREAS, the BAC, after careful consideration, unanimously declared the bidding process a failure due to the absence of any submitted bids;

WHEREAS, 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;***
- 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 (emphasis supplied)”*

WHEREAS, Section 35.5, of the IRR of RA 9184 provides the condition on the declaration of failure of bidding which states that;

35.5 Should there occur a second failure of bidding, the Procuring Entity may resort to Negotiated Procurement, as provided for in Section 53.10 of this IRR.

WHEREAS, Section 53.1 of the 2016 Revised IRR of RA 9184, the Procuring Entity can directly negotiate a contract to a technically, legally and financially capable supplier, contractor or consultant in cases where there has been failure of Competitive Bidding or Limited Source Bidding for the second time as provided in Section 35 of the above Act and same IRR;

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

1. To **DECLARE 2nd FAILURE OF BIDDING** for Early Procurement Activity for the Supply and Delivery of One (1) lot All-in-One Desktop Computers and Mid-Range Laptops (ITB 2024-09-A) pursuant to Section 35.1.a of the IRR of RA 9184;
2. **RECOMMEND** to the End-User to conduct the mandatory review of the terms of reference;

3. **RECOMMEND** to undertake Negotiated Procurement – Two Failed Biddings, under Rule XVI Section 53.1 of the IRR of RA 9184.

This resolution shall take effect immediately.

APPROVED this **10th** of **January 2025** at Quezon City, Philippines.

A 5F? : CF
F9857HCB

ATTY. ALLAN VINCENT B. LORENZO
Chairperson, BAC

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WILSON T. BUERANO JR.
End-User Representative

APPROVED:

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WILSON T. BUERANO JR.
*Deputy Director-General for Finance
and Alternate Head of Procuring Entity (HoPE)*