

BAC Resolution Declaring Failure of Bidding for the Supply and Delivery of Electrical Equipment and Parts for PhilRice CES PB 22-03-19

**BAC RESOLUTION No. 24
Series of 2022**

WHEREAS, the Bids and Awards Committee call for advertisement of Invitation to Bid for the Supply and Delivery of Electrical Equipment and parts for PhilRice CES PB 22-03-19 in PhilGEPS, PhilRice websites and conspicuous places from August 8 to 30, 2022. The approved budget for the contract (ABC) is One Million Two Hundred Seventy-Three Thousand and Five Hundred Pesos Only (P 1,273,500.00);

WHEREAS, the BAC has started schedule of the procurement process for the above stated project as follows:

Pre-procurement Conference:	August 04, 2022
Advertisement:	August 08 to 30, 2022
Pre-Bid Conference:	August 16, 2022
Submission of Bids:	Until August 30, 2022 5:00 PM
Opening of Bids:	August 31, 2022, 9:00 AM

WHEREAS, in response to the said advertisements, nine (9) prospective bidders were listed in the PhilGEPS document request list namely: Avesco Marketing Corporation, West Point Engineering Supplies Incorporated, Learning Access Trading, St. Christ International Trading Corporation, Advantage Industrial and Electrical Supply, Manara Marketing, Asia Electrical Technical Marketing Corporation, UP-Town Industrial Sales, Inc. and NVSP Construction and Development;

WHEREAS, on the scheduled Pre-Bid Conference, three (3) prospective bidders attended namely: APlus Power Solution Corporation, EDM I Philippines Inc. (EPI), and Sistema Elektrik Inc.;

WHEREAS, on August 18, 2022, Bid Bulletin No. 1 was issued to reflect the changes in the Technical Specifications;

WHEREAS, three (3) prospective bidders purchased the bidding document and submitted proposal before the set deadline: 1. Sistema Elektrik Inc., 2. EDM I Philippines Inc. (EPI), and 3. APlus Power Solution Corporation;

WHEREAS, on August 31, 2022 during the preliminary examination of bids, the BAC with the assistance of the BAC Secretariat opens the first bid envelope to determine each bidder's compliance with the documents required to be submitted for eligibility and for the technical requirements, as prescribed in this IRR. The BAC checked the submitted documents of each bidder in accordance with the checklist of required documents to ascertain if they are all present, using a non-discretionary "pass/fail" criterion, as stated in the Instructions to Bidders. The bid proposals of EDM I Philippines Inc. and APlus Power Solution Corporation were rated "**FAILED**" and "**NON-ELIGIBLE**" due to the following grounds:

1. EDM I Philippines Inc. submitted incomplete (Annex A not included) and invalid/expired PhilGEPS Registration;
2. APlus Power Solution Corporation did not include the statement of compliance/conformity with technical specifications.





WHEREAS, the remaining bidder, **Sistema Elektrik, Inc.** was rated **PASSED** in the legal, technical and financial document and declared to be **ELIGIBLE**;

WHEREAS, the financial proposal of the above bidder was found to be substantially complying and read as follows:

Bidder	Complied Item	Total Bid (PhP)
Sistema Elektrik, Inc.	Complied in items nos. 1-4 <i>Note: Item nos. 1-3 are above the ABC.</i>	P 966,327.28

WHEREAS, during the post-qualification evaluation, upon careful examination, verification, validation, and ascertainment of all statements and representations made, including all documents submitted for the bidding, **Sistema Elektrik, Inc.** hereby declared by the Technical Working Group (TWG) and approved by BAC as **“post-disqualified”** due to failure to comply with the eligibility requirements as they did not include in the statement of all ongoing government and private contracts, including contracts awarded but not yet started, with Agacons Construction Incorporated and ABS-CBN Corporation;

WHEREAS, on 29 September 2022, the BAC received a letter from Sistema Elektrik, Inc. through an electronic mail **filing a motion for reconsideration**. The BAC issued a letter in response to the said motion that as per Rule IX. Section 30.1 of the Revised IRR of RA9184:

“If a bidder submits the required document, it shall be rated “passed” for that particular requirement. In this regard, bids that fail to include any requirement or are incomplete or patently insufficient shall be considered as “failed.” Otherwise, the BAC shall rate the said first bid envelope as “passed.”


WHEREAS, on 04 October 2022, the BAC **DENY** the motion filed by Sistema Elektrik, Inc.

NOW, THEREFORE, We, the Members of the Bids and Awards Committee, do hereby **RESOLVE** as it is hereby **RESOLVED**:

- a) To **DECLARE** failure of bidding for the Supply and Delivery of Electrical Equipment and parts for PhilRice CES PB 22-03-19;
- b) To **RECOMMEND** for approval by the PhilRice Executive Director the foregoing findings.

RESOLVED, this 13th day of October 2022.


AURORA M. CORALES
Chairperson 


LUIS ALEJANDRE I. TAMANI
Vice-Chairperson


ROSALY V. MANAOIS
Member





Philippine Rice Research Institute

Central Experiment Station
Maligaya, Science City of Muñoz, 3119 Nueva Ecija

Quality Rice. Quality Life.




ARLEN A. DELA CRUZ
Member


SANDRO D. CAÑETE
Member


LAARNIE L. MANDIA
TWG

RECOMMENDING APPROVAL:


ABNER T. MONTECALVO
Deputy Executive Director for
Administrative Services and Finance

APPROVED:


JOHN C. DE LEON
Executive Director