



BAC AMP RESOLUTION No. 342
Series of 2018

BIDS AND AWARDS COMMITTEE (BAC) RESOLUTION RECOMMENDING SECTION 53.1 TWO FAILED BIDDINGS OF THE 2016 REVISED IMPLEMENTING RULES AND REGULATIONS OF RA 9184 OTHERWISE KNOWN AS THE 'GOVERNMENT PROCUREMENT REFORM ACT AS AN ALTERNATIVE MODE OF PROCUREMENT

WHEREAS, Sec. 48, Rule XVI of the Revised IRR of R.A. 9184, otherwise known as the 'Government Procurement Reform Act provides that in order to promote economy and efficiency, the procuring entity may resort to any of the alternative methods of procurement which are Limited Source Bidding, Direct Contracting, Repeat Order, Shopping and Negotiated Procurement, provided that the most advantageous price for the government will be obtained;

WHEREAS, the Bids and Awards Committee (BAC) conducted two (2) failed public biddings for the One (1) Lot - Supply and Delivery of One (1) Unit Brand New Passenger Van, the first scheduled Opening of Bids for Bid No. 003-18 was held last 10 April 2018, no bidders purchased the bidding documents and participated, while the second scheduled Opening of Bids for Bid No. 005-18 was held last 21 May 2018, the lone bidder failed on one (1) of its eligibility requirements –“*Technical Specifications: Item A*”– it was found to be patently insufficient and has FAILED the Bid Evaluation and was declared “INELGIBLE”;

WHEREAS, the second failure of bidding for the procurement of One (1) Lot - Supply and Delivery of One (1) Unit Brand New Passenger Van was declared by the Bids and Awards Committee (BAC) in BAC AMP Resolution No 206 series of 2018;

WHEREAS, Section 35.1 of the 2016 Revised Implementing Rules and Regulations of R.A. 9184, provides that the BAC shall declare the bidding a failure when (a) No bids are received; and (b) all prospective bidders are declared ineligible;

WHEREAS, Section 35.5 provides that should there occur a second failure of bidding, the Procuring Entity may resort to negotiated procurement, as provided for in Section 53.1 of the Revised IRR;

WHEREAS, Section 53 of the 2016 Revised IRR of R.A. 9184, allows an agency to resort to Negotiated Procurement, a method of procurement of Goods, Infrastructure Projects and Consulting Services whereby the Procuring Entity directly negotiates a contract with a technically, legally and financially capable supplier, contractor or consultant;

WHEREAS, Section 53.1 of the Revised IRR of RA 9184 allows an agency to resort to **SECTION 53.1 TWO FAILED BIDDINGS** where there has been failure of competitive bidding or limited source bidding for the second time as provided in Section 35 of the Act and the Revised IRR;

WHEREAS, the Bids and Awards Committee (BAC) was created in accordance with BBS Memorandum Order No. 006 series of 2018;

WHEREAS, the BAC conducted a mandatory review of the terms, conditions, specifications and cost estimates as prescribed in Section 35 of the IRR, the Bids and Awards Committee (BAC) together with its Secretariat, TWG and End-User agreed to revised the technical specifications and adjust the current Approved Budget for the Contract (ABC) subject to the approval of the HoPE;

WHEREAS, the BAC agreed to recommend to the HoPE the revision of the technical specifications and adjustment of the current Approved Budget for the Contract (ABC) from the amount of One Million Four Hundred Ninety Thousand Pesos (PhP 1,490,000.00) to *One Million Five Hundred Thousand Pesos (PhP 1, 500,000.00)*;

WHEREAS, the BAC upon review of the attached **PURCHASE REQUEST NO. 2018-06-0248** the BAC finds that the above conditions for **SECTION 53.1 TWO FAILED BIDDINGS** are satisfied;

Purchase Request No.	Items	Quantity	ABC
2018-06-0248	<p>Supply and Delivery of One (1) Unit Brand New Passenger Van (Latest Model) Body Type: Van Engine type: 2.5 TCI SOHC 8V Engine Displacement: 2,476 cc Dimension (L x W x H) (mm): 5,125 x1,920 x 1,925 Seating Capacity: 10 - Seater Transmission type: 5 Speed M/T Maximum Power (PS @ rpm): 100/3,800 Maximum Torque (kg-m @ rpm):23.0/2000 Fuel system: VE Pump Fuel Type: Diesel Fuel Tank Capacity: 75L Wheels/Tires: 6.5Jx 16" Steel Cap,215/70 R16C Color: White</p> <p>A. Incidental Services 1) Facilitate processing of the one (1) year Comprehensive Insurance through the Government Service Insurance System (GSIS) which shall be paid for by the Bureau of Broadcast Services ((BBS). 2) Facilitate and shoulder the cost of the processing of the three (3) years Land Transportation Office (LTO) registration, including the release of the government (Red) plate. 3) Provide at least two (2) free Periodic Maintenance Service (PMS); 4) Provide/install the following: ▪ Set of Tools including Jack and Tire Wrench ▪ Early Warning Device (EWD) ▪ Matting ▪ Seat Cover ▪ Ten (10) Liters Fuel ▪ Tint - 3M/Platinum ▪ Rain Gutter ▪ Android Touch Screen Monitor with camera and WIFI ready ▪ Keyless Entry with Alarm ▪ Mags 16" inch Alloy wheels ▪ Fog Lamps ▪ Leatherette Seat Cover ▪ Side Repeater ▪ Dash Cam</p> <p>B. Warranty: Certification under oath that the supplier shall provide Unlimited Mileage or Five (5) years whichever comes first from date of delivery.</p> <p>C. Delivery Period: Thirty (30) Calendar Days</p>	One (1) Lot	PhP 1,500,000.00
		Total	PhP 1,500,000.00

WHEREAS, the BAC agreed to undertake the procurement of the **PURCHASE REQUEST NO. 2018-06-0248**;

NOW, THEREFORE, foregoing premises considered. we the members of the Bids and Awards Committee (BAC), hereby **RESOLVE**, as it is hereby **RESOLVED**, that the procurement of the abovementioned item/s through **TWO FAILED BIDDINGS** is pursuant to **SECTION 53.1** of the 2016 Revised IRR of RA 9184 otherwise known as the Government Procurement Reform Act, and thus **RECOMMEND** for approval by the Director of the Bureau of Broadcast Services (BBS) the procurement of the abovementioned item/s through **SECTION 53.1 TWO FAILED BIDDINGS** as indicated in the Purchase Request in the amount of *One Million Five Hundred Thousand Pesos (PhP 1,500,000.00)*.

Let copies of this Resolution be posted at the PBS website, and at conspicuous place at the PBS-BBS premises.

RESOLVED, at the BAC Office, this 8th day of June 2018 at PBS-BBS 4th Floor PIA Media Center Building, Visayas Avenue, Quezon City.

TECHNICAL WORKING GROUP


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Chairman


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Member


JULIUS S. UNGAB
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MA. EILEEN V. ELIGADO
Member


EMMANUEL CEDRIC M. ONTONG
Member


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Member


JESSIE O. FRANCISCO
Member

BIDS AND AWARDS COMMITTEE


ALAN L. ALLANIGUE
Chairman

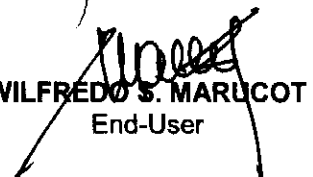

ELIZABETH B. RAYMUNDO
Vice-Chairman


JUN P. ROMANA
Member


RODENTORO DOMINGO
Member


SALLY G. CUEVA
Member


NOEL V. GARCIA
BBSEO Representative


WILFREDO S. MARICOT
End-User

APPROVED / DISAPPROVED:


RIZAL GIOVANNI P. APORTADERA, JR.
Director IV