

BIDS AND AWARDS COMMITTEE
Procurement of Goods and Consultancy Services
Resolution No. 026-2019
Series of 2019

PHILIPPINE
PORTS
AUTHORITY
BAC-PGCS



RESOLUTION DECLARING THE POST-DISQUALIFICATION OF NASHE ENTERPRISES AND DECLARATION OF FAILURE OF BIDDING FOR THE PROCUREMENT OF FIREARMS FOR PORT POLICE
BAC-PGCS-11-2018

WHEREAS, the Philippine Ports Authority (PPA) posted an Invitation to Bid for the Procurement of Firearms for Port Police, in the website of the PPA, PhilGEPS and in the Bulletin Board located at the PPA Corporate Building, South Harbor, Port Area, Manila on 21 December 2018, continuously for seven (7) calendar days;

WHEREAS, the Approved Budget for the Contract to be Bid as posted/advertised is **₱ 20,000,000.00**;

WHEREAS, in response to the said advertisement, two (2) bidders secured and submitted the Bid Documents in the amount of **₱ 25,000.00**, namely:

1. Trust Trade
2. Nashe Enterprises

WHEREAS, during the opening of bids on 08 March 2019 at 10:00 a.m., only Nashe Enterprises was declared "passing" with the requirements of the First Envelope. Trust Trade was declared "failed" hence, its Second Envelope was returned unopened and duly received by its authorized representative after signifying no intention to file a request for reconsideration;

WHEREAS, the Financial Proposal of Nashe Enterprises was opened and declared "passing" with the requirements of the Second Envelope, hence its financial bid was read by the Chairperson, as follows:

NAME OF BIDDER	BID AMOUNT (As Read)
1. NASHE ENTERPRISES	₱ 7,487,500.00

WHEREAS, Bid Evaluation was conducted on 13 March 2018 to determine if there were arithmetical or computational errors on the submitted bids, and the Bid Evaluation Report, as approved by the BAC on 14 March 2018, showed no discrepancies between the Total Bid Prices and Unit Bid Prices of Nashe Enterprises;

WHEREAS, Nashe Enterprises was declared as the Single Calculated Bidder in the amount of **₱ 7,487,500.00**;

WHEREAS, post-qualification was conducted on 19 March 2019 to examine, validate and verify the eligibility, technical and financial requirements submitted by Nashe Enterprises and in the Post-Qualification Report, as approved by the BAC on 26 March 2019, Nashe Enterprises was declared post-disqualified for failure to comply with the specifications for 9mm pistol that the "magazine well shall be integrated to the pistol grip for a smoother magazine change.";

WHEREAS, the BAC, after a motion duly made and properly seconded, declared the bidding for the Procurement of Firearms for Port Police, a failure, pursuant to Section 35.1 of the 2016 Revised IRR of R.A. 9184, which provides to wit:

"35.1 The BAC shall declare the bidding a failure when:

c) All bids fail to comply with all the bid requirements or fail post-qualification, xxx xxx xxx;

xxx xxx xxx."

NOW, THEREFORE, for and in consideration of the foregoing premises, the BAC hereby RESOLVE as it is hereby RESOLVED to recommend the following:

1. To declare NASHE ENTERPRISES to be post-disqualified, for failure to comply with the specifications for 9mm pistol that the "magazine well shall be integrated to the pistol grip for a smoother magazine change.";
2. To immediately notify NASHE ENTERPRISES in writing of its post-disqualification and the grounds for it;
3. To recommend to the Head of the Procuring Entity that the bidding for the Procurement of Firearms for Port Police, be declared a failure, pursuant to Section 35.1 (c) of the 2016 Revised IRR of R.A. 9184 which states that:

xxx xxx xxx

c. All bids fail to comply with all the bid requirements or fail post-qualification, or, in the case of Consulting Services, there is no successful negotiation; or

xxx xxx xxx."

4. To conduct a re-bidding with re-advertisement and/ or posting, as provided for in Section 21.2 of the 2016 Revised IRR of R.A. 9184.

APPROVED AND ADOPTED by the BAC on 02 April 2019



DANAH S. JARAMILLO
Regular Member



JOSEPHINE M. NAPIERE
Regular Member



JAN PEARL F. PORTUGAL
Regular Member



FROILAN U. CATURLA
Provisional Member



ANGELINA A. LLOSE
Vice-Chairperson



MARK JON S. PALOMAR
Chairperson, BAC



10 April 2019

MEMORANDUM


F O R : The General Manager
F R O M : The Chairperson, HO-BAC-PGCS
S U B J E C T : **BAC-PGCS Resolution No. 026-2019 Series of 2019 on the Post-Disqualification of Nashe Enterprises and Declaration of Failure of Bidding for the Procurement of Firearms for Port Police**
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This has reference to the Bidding for the Procurement of Firearms for Port Police, held on 08 March 2019, where the Single Calculated Bidder, Nashe Enterprises, was declared to be post-qualified for failure to comply with the specifications for 9mm pistol that the "magazine well shall be integrated to the pistol grip for a smoother magazine change." Considering that Nashe Enterprises was the Single Calculated Bidder, the BAC likewise declared a failure of bidding pursuant to Section 35.1 of the 2016 Revised IRR of R.A. 9184, which states that: "The BAC shall declare the bidding a failure when: xxx xxx c) All bids fail to comply with all the bid requirements or fail post-qualification xxx xxx."

In view thereof, we are submitting herewith BAC Resolution No. 026-2019 Series of 2019 Declaring the Post-Disqualification of Nashe Enterprises and Declaration of Failure of Bidding for the Procurement of Firearms for Port Police and to conduct a re-bidding with re-advertisement and/or posting, as provided for in Section 21.2 of the 2016 Revised IRR of R.A. 9184, for consideration and approval of the General Manager as Head of the Procuring Entity.


MARK JON S. PALOMAR

APPROVED/DISAPPROVED:


JAY DANIEL R. SANTIAGO
General Manager