



21 July 2020

MEMORANDUM

F O R : The General Manager  
F R O M : The Chairperson, HO-BAC-PGCS  
S U B J E C T : Resolution Declaring Failure of Bidding  
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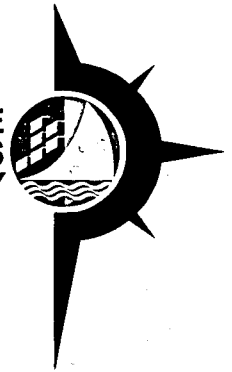
This has reference to the Bidding for the Supply, Delivery, Installation and Commissioning of Airconditioning Units for Philippine Ports Authority Head Office held on 30 June 2020, which was declared by the BAC as "failure of bidding" pursuant to Section 35.1 of the 2016 Revised IRR of R.A. 9184, which states that: "The BAC shall declare the bidding a failure when: b) All prospective bidders are declared ineligible. xxx xxx."

In view thereof, we are submitting herewith BAC-PGCS Resolution No. 048-2020 Series of 2020, recommending that the bidding for the Supply, Delivery, Installation and Commissioning of Airconditioning Units for Philippine Ports Authority Head Office be declared a "failure" pursuant to Section 35.1 of the 2016 Revised IRR of R.A. 9184 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



**BIDS AND AWARDS COMMITTEE**

Procurement of Goods and Consultancy Services (BAC-PGCS)

Resolution No. 048-2020

Series of 2020

**RESOLUTION DECLARING FAILURE OF BIDDING FOR THE  
SUPPLY, DELIVERY, INSTALLATION AND COMMISSIONING OF  
AIRCONDITIONING UNITS FOR PHILIPPINE PORTS AUTHORITY HEAD OFFICE  
BAC-PGCS-009-2020**

WHEREAS, the Philippine Ports Authority (PPA) posted an Invitation to Bid for the Supply, Delivery, Installation and Commissioning of Airconditioning Units for Philippine Ports Authority Head Office, in the website of the PPA, PhilGEPS and in the Bulletin Board located at the PPA Corporate Building, South Harbor, Port Area, Manila on 01 June 2020, continuously for seven (7) calendar days;

WHEREAS, the Approved Budget for the Contract to be Bid as posted/advertised is **₱ 12,000,000.00**;

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. True-Temp Corporation
2. FMG Refrigeration and Airconditioning Services

WHEREAS, during the opening of bids on 30 June 2020 at 2:00 p.m., the two (2) bidders were declared "passed" with the requirements of the First Envelope.

WHEREAS, the Financial Proposal of the two (2) bidders were opened and declared "passing" with the requirements of the Second Envelope, hence their financial bid was read by the Chairperson, as follows:

NAME OF BIDDER	BID AMOUNT (As Read)
1. TRUE-TEMP CORPORATION	₱ 11,500,000.00
2. FMG REFRIGERATION AND AIRCONDITIONING SERVICES	₱ 10,232,903.94

WHEREAS, Bid Evaluation was conducted on 06 July 2020 to determine if there were arithmetical or computational errors on the submitted bid, and the Bid Evaluation Report, as approved by the BAC on 07 July 2020, showed no discrepancies between the Total Bid Prices and Unit Bid Prices of the two (2) bidders;

WHEREAS, the bid proposal of True-Temp Corporation was rated as "non-responsive," hence automatically disqualified, for failure to use the appropriate form as attachment to the Bid Form, as prescribed in the Philippine Bidding Documents. True-Temp Corporation used the form "For Goods Offered from within the Philippines" instead of "For Goods Offered from Abroad," considering that the origin of goods being offered is from Thailand;

WHEREAS, post-qualification was conducted on 14 July 2020 to examine, validate and verify the eligibility, technical and financial requirements submitted by FMG Refrigeration and Airconditioning Services and in the Post-Qualification Report, as approved by the BAC on 16 July 2020, FMG Refrigeration and Airconditioning Services was declared as "Failed" for failure to attach a Special Power of Attorney for the designated representative, as required in Item No. 2 of the Omnibus Sworn Statement;

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 recommend to the Head of the Procuring Entity that the bidding for the Supply, Delivery, Installation and Commissioning of Airconditioning Units for Philippine Ports Authority Head Office, be declared a "failure" pursuant to Section 35.1 (b) of the 2016 Revised IRR of R.A. 9184 considering that all prospective bidders are declared ineligible.
2. 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 16 July 2020

**DANAH S. JARAMILLO**  
Regular Member

**JOSEPHINE M. NAPIERE**  
Regular Member

**DIANE STEFFI T. GUILLAMON**  
Regular Member

**ERIC E. DIMACULANGAN**  
Provisional Member

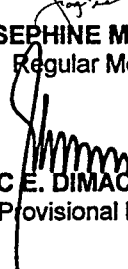
**ANGELINA A. LLOSE**  
Vice-Chairperson

**MARK JON S. PALOMAR**  
Chairperson, BAC

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