

**PHILIPPINE PORTS AUTHORITY**  
**BIDS AND AWARDS COMMITTEE**  
Procurement of Goods and Consultancy Services (BAC-PGCS)  
Resolution No. 055-2020  
Series of 2020



**RESOLUTION DECLARING FAILURE OF BIDDING FOR THE  
SUPPLY, DELIVERY AND INSTALLATION OF A CORPORATE ANTI-VIRUS WITH  
HYBRID NETWORK SUPPORT FOR TWO (2) YEARS AT THE PPA HEAD OFFICE  
AND PORT MANAGEMENT OFFICES NATIONWIDE**  
BAC-PGCS-130-2020

WHEREAS, the Philippine Ports Authority (PPA) posted an Invitation to Bid for the Supply, Delivery and Installation of a Corporate Anti-Virus with Hybrid Network Support for Two (2) Years at the PPA Head Office and Port Management Offices Nationwide, in the website of the PPA, PhilGEPS and in the Bulletin Board located at the PPA Corporate Building, South Harbor, Port Area, Manila on 13 July 2020, continuously for seven (7) calendar days;

WHEREAS, the Approved Budget for the Contract to be Bid as posted/advertised is **₱ 2,000,000.00**;

WHEREAS, in response to the said advertisement, only American Technologies Inc. secured and submitted the Bid Documents in the amount of ₱ 5,000.00;

WHEREAS, during the opening of bids on 24 August 2020 at 10:00 a.m., American Technologies Inc., the lone bidder, was declared "passed" with the requirements of the First Envelope;

WHEREAS, the Financial Proposal of American Technologies Inc. was opened and declared "passing" with the requirements of the Second Envelope and its financial bid was read by the Chairperson, as follows:

NAME OF BIDDER	BID AMOUNT (As Read)
1. AMERICAN TECHNOLOGIES INC.	₱ 1,998,000.00

WHEREAS, American Technologies Inc. was automatically disqualified for being "non-responsive", for its failure to use the appropriate form as attachment to the Bid Form. The required form to be used as prescribed in the bidding documents should be "For Goods Offered from Abroad" considering that the origin of goods being offered is India, instead of the form "For Goods Offered from within the Philippines," which American Technologies Inc. submitted;

WHEREAS, considering that the lone bidder was automatically disqualified, the BAC, after a motion duly made and properly seconded, declared the bidding for the Supply, Delivery and Installation of a Corporate Anti-Virus with Hybrid Network Support for Two (2) Years at the PPA Head Office and Port Management Offices Nationwide, 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:

xxx xxx xxx

b) All prospective bidders are declared ineligible;

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 recommend to the Head of the Procuring Entity that the bidding for the Supply, Delivery and Installation of a Corporate Anti-Virus with Hybrid Network Support for Two (2) Years at the PPA Head Office and Port Management Offices Nationwide, be declared a “failure” pursuant to Section 35.1 (b) of the 2016 Revised IRR of R.A. 9184;
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 01 September 2020

**DANAH S. JARAMILLO**  
Regular Member

**JOSEPHINE M. NAPIERE**  
Regular Member

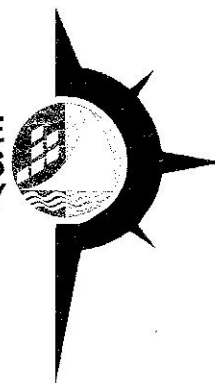
  
**DIANE STEFFI T. GUILLAMON**  
Regular Member

  
**GERVACIO ALFREDO N. BALATBAT**  
Provisional Member, End-User

  
**ERIC E. DIMACULANGAN**  
Provisional Member

**ANGELINA A. LLOSE**  
Vice-Chairperson

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



01 September 2020

MEMORANDUM

F O R : The General Manager

F R O M : The Chairperson, HO-BAC-PGCS

SUBJECT : **Resolutions Declaring Failure of Bidding**  
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This has reference to the Bidding for the Supply, Delivery and Implementation of Port Profile and Engineering System (PPES) held on 20 August 2020; Supply and Delivery of Maintenance Services for Enterprise Storage Array and Related Equipment on 20 August 2020 at 2:00 p.m. and Supply, Delivery and Installation of a Corporate Anti-Virus with Hybrid Network Support for Two (2) Years at the PPA Head Office and Port Management Offices Nationwide on 20 August 2020 at 10:00 a.m., which were 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 the following BAC-PGCS Resolutions, as follows:

1. Resolution No. 052-2020 Series of 2020 for the Supply, Delivery and Implementation of Port Profile and Engineering System (PPES)
2. Resolution No. 054-2020 Series of 2020 for the Supply and Delivery of Maintenance Services for Enterprise Storage Array and Related Equipment
3. Resolution No. 055 Series of 2020 for the Supply, Delivery and Installation of a Corporate Anti-Virus with Hybrid Network Support for Two (2) Years at the PPA Head Office and Port Management Offices Nationwide

recommending that the bidding for the above projects 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