



BIDS AND AWARDS COMMITTEE
Procurement of Goods and Consultancy Services (BAC-PGCS)
Resolution No. 127-2021
Series of 2021

**RESOLUTION DECLARING FAILURE OF BIDDING FOR THE
PROCUREMENT OF SERVICES OF CERTIFYING BODY FOR THE
QUALITY MANAGEMENT SYSTEM OF PPA**
BAC-PGCS-152-2021

WHEREAS, the Philippine Ports Authority (PPA) posted an Invitation to Bid for the Procurement of Services of Certifying Body for the Quality Management System of PPA, in the website of the PPA, PhilGEPS and in the Bulletin Board located at the PPA Corporate Building, South Harbor, Port Area, Manila on 02 November 2021, continuously for seven (7) calendar days;

WHEREAS, the Approved Budget for the Contract to be Bid as posted/advertised is **₱ 3,800,000.00**;

WHEREAS, in response to the said advertisement, two (2) bidders secured the Bid Documents in the amount of **₱ 5,000.00**, namely;

1. Certification International Philippines, Inc.
2. TUV Rheinland Phils., Inc.

WHEREAS, during the opening of bids on 23 November 2021 at 10:00 a.m., the two (2) bidders, were declared "failed" with the requirements of the First Envelope;

WHEREAS, Certification International Philippines, Inc. was declared "failed" for submitting an unaccomplished Price Schedule Form while TUV Rheinland Phils., Inc. failed to submit the Schedule of Requirements Form and to include in its Statement of SLCC the mandatory provision on user's acceptance or official receipt(s) or sales invoice issued for the contract, if completed, pursuant to GPPB Circular No. 04-2020 dated September 16, 2020, which provides that:

"xxx. Non-submission of the Required Forms or non-inclusion of the mandatory provisions in any of the Required forms shall be a ground for disqualification."

WHEREAS, Certification International Philippines, Inc. and TUV Rheinland Phils., Inc. filed their requests for reconsideration on their "failed" rating within the prescribed deadline for submission thereof, and the BAC, in a meeting held on 02 December 2021, after due deliberation and upon motion duly made and properly seconded, denied said Requests for Reconsideration;

WHEREAS, considering that the two (2) bidders were declared "failed", the BAC, after a motion duly made and properly seconded, declared the bidding for the Procurement of Services of Certifying Body for the Quality Management System of PPA, a failure, pursuant to Section 35.1 of the 2016 Revised IRR of R.A. 9184, which provides, that:

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

xxx xxx xxx

b) All prospective bidders are declared ineligible;

xxx xxx xxx."

WHEREAS, there has been a failure of bidding for the second time, the first being on 12 October 2021, as provided for in Section 35 of the 2016 Revised IRR of R.A 9184, hence a Negotiated Procurement may be resorted to under Section 53.1 of the 2016 Revised IRR of R.A 9184;

WHEREAS, there is a need to resort to Negotiated Procurement to speed up compliance with the commitment with the Governance Commission for GOCCs (GCG) considering that the maintenance of ISO Certifications is among the PPA's targets in the 2021 GCG Performance Scorecard in compliance with EO 605 s. 2007, with subject "Institutionalizing the structure, mechanisms and standards to implement the Government Quality Management Program amending for the purpose Administrative Order No. 161, s. 2006";

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 Procurement of Services of Certifying Body for the Quality Management System of PPA, be declared a "failure" pursuant to Section 35.1 (a) of the 2016 Revised IRR of R.A. 9184.
2. To resort to Negotiated Procurement (Two-Failed Biddings) under Section 53.1 of the 2016 Revised Implementing Rules and Regulations of R.A 9184.

APPROVED AND ADOPTED by the BAC on 02 December 2021



DANAH S. JARAMILLO
Regular Member




JOSEPHINE M. NAPIERE
Regular Member



DIANE STEFFIT. GUILLAMON
Regular Member



ERIC E. DIMACULANGAN
Provisional Member



CORDELIA C. SIDON
Provisional Member
End-User, PMSODD



ANGELINA A. LLOSE
Vice-Chairperson



MARK JON S. PALOMAR
Chairperson, BAC

BAC

PHILIPPINE
PORTS
AUTHORITY



07 December 2021

MEMORANDUM

F O R : The General Manager

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

SUBJECT : **Resolution Declaring Failure of Bidding**
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This has reference to the Opening of Bids for the Procurement of Services of Certifying Body for the Quality Management System of PPA held on 23 November 2021, 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."

In view thereof, we are submitting herewith BAC-PGCS Resolution No. 127-2021 Series of 2021, recommending that the bidding for the above project be declared a "failure" pursuant to Section 35.1 of the 2016 Revised IRR of R.A. 9184 and to resort to Negotiated Procurement (Two-Failed Biddings) under Section 53.1 of the 2016 Revised Implementing Rules and Regulations of RA 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

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