BAC RESOLUTION NO. 06-2023

RESOLUTION RECOMMENDING TO THE HEAD OF PROCURING ENTITY (HOPE) TO DECLARE A FAILURE OF BIDDING FOR THE PROCUREMENT OF THE PROJECT SURVEY SERVICES OF LAND AREA IN THE PORT ZONE DELINEATION OF PORTS OF PMO-EL/S IN LEYTE AND SAMAR

1. PR-TAC-4191-23 (Leyte)
Approved Budget for the Contract: Php 428,820.00
2. PR-TAC-4192-23 (Samar)
Approved Budget for the Contract: Php 406,770.00

WHEREAS, the HOPE approved BAC Resolution Nos. 04 and 05 – 2023, Resolutions Recommending for the Approval by the HOPE of Small Value Procurement for the Survey Services of Land Area in the Port Zone Delineation of Ports of PMO Eastern Leyte/Samar covered by PR-TAC-4191-23 & PR-TAC-4192-23 dated 04 August, 2023;

WHEREAS, on 25 August 2023, the BAC posted in the PPA website and conspicuous places within its premises and in the Philippine Government Electronic Procurement System (PhilGEPS) of the Department of Budget and Management (DBM), the Request for Quotation (RFQ) for the procurement of Survey Services of Land Area in the Port Zone Delineation of Ports of PMO-EL/S in Leyte and Samar with an Approved Budget for the Contract (ABC) of Php 428,820.00 for Leyte and Php 406,770.00 for Samar, respectively;

WHEREAS, on 31 August 2023, the BAC issued Supplemental/Bid Bulletin No.1 to clarify, modify or amend the Terms and Conditions in the Request for Quotation particularly to delete the PCAB License and replace it with a Professional License which is required in Small Value Procurement of Consulting Services under GPPB Resolution No. 15-2021;

WHEREAS, on 04 September 2023, the Deadline for the Submission and Opening of the Request for Quotations (RFQ), three (3) prospective Bidders submitted their Quotation;

WHEREAS, during the opening of quotations, upon motion duly seconded, the BAC declared CYRIAN ENGINEERING & SURVEYING SERVICES as the bidder with the lowest quotation to be recommended for the award of the contract based on paragraph 6 of the Terms and Conditions of the RFQ which states that "the contract shall be awarded to the bidder with the Single or Lowest Calculated and Responsive Quotation";

WHEREAS, the BAC deliberated on the Abstract of Quotation and found out that it failed to comply with the prescribed procedures when it declared CYRIAN ENGINEERING & SURVEYING SERVICES as the bidder with the lowest quotation, inadvertently omitting the prescribed procedures under Annex "B", Section 24, Section 33, and Annex H of the 2016 Revised IRR of RA 9184; hence, the need to declare a failure of bidding;

WHEREAS, land surveys fall under Other Technical Services or Special Studies under Annex "B", the General Principles on Consulting Services of the 2016 Revised IRR of RA 9184;

WHEREAS, paragraph 4.1 thereof requires that "Consultants shall be hired on the basis of their proven expertise, experience and capability. Under certain conditions provided herein, cost may be included as a factor in the selection of consultants";

WHEREAS, Section 24 of the 2016 Revised IRR of RA 9184 prescribes the procedure for Eligibility Requirements and Short Listing for Consulting Services and Section 33 prescribes the procedures for the Bid Evaluation of Short Listed Bidders for Consulting Services;

WHEREAS, Annex "H" item V.8.b.vi of the 2016 Revised IRR of RA 9184 states that "the BAC shall recommend to the HOPE the award of contract in favor of the consultant with the Single or Highest Rated and Responsive Proposal (for consulting services)";

WHEREAS, Section 41 (b) of the 2016 Revised IRR of RA 9184, authorizes the HOPE to reject any and all bids, declare a failure of bidding, or not award the contract "if the BAC is found to have failed in following the prescribed procedures";

NOW, THEREFORE, for and in consideration of the foregoing, the BAC-PGCS/EP **RESOLVES** to recommend to the HOPE to declare a failure of bidding in the procurement of the project **Survey Services of Land Area in the Port Zone Delineation of PMO-EL/S in Leyte and Samar.**

RESOLVES FURTHER, to post this Resolution at the PPA Website, PhilGEPS, and in a conspicuous place at the premises of the PMO-Eastern Leyte/Samar, Tacloban Port.

Resolved this 12th day of September 2023, PPA-PMO-ELS, Tacloban City.

JENNELYN S. SIOSANA
BAC Member

ROGELIO V. PATAN-AO
BAC Provisional Member

ROSSANA Z. NUEVO
Prov. Member/End User Rep.

CORAZON T. GO
BAC Vice-Chairperson

GLENN S. LAGUNAY
BAC Chairperson

APPROVED:

MANUEL A. BOHOLANO
Head, Procuring Entity