



Republic of the Philippines
Department of Agriculture
Bureau of Fisheries and Aquatic Resources
BIDS AND AWARDS COMMITTEE OFFICE
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RESOLUTION NO.: 2021-04.2

Series of 2021

BAC RESOLUTION FOR THE FAILURE OF BIDDING FOR THE BID REFERENCE NO. 2021-04 ENTITLED "SUPPLY AND DELIVERY OF ICT COMPUTER HARDWARE FOR BFAR OFFICE PRODUCTIVITY PROJECT".

WHEREAS, the BFAR Bids and Awards Committee (BFAR-BAC) advertised the Invitation to Bid for the procurement project entitled "**SUPPLY AND DELIVERY OF ICT COMPUTER HARDWARE FOR BFAR OFFICE PRODUCTIVITY PROJECT**" (herein referred to as "Procurement Project") consisting of two (2) lots through posting in the Philippine Government Electronic Procurement Service (PhilGEPS), in the Bureau's website (www.bfar.da.gov.ph) and in conspicuous places within the Bureau's premises for seven (7) days;

WHEREAS, on 01 February 2021 at 10:00 AM the Pre-Procurement Conference for the Procurement Project was held at the BFAR Office of the Special Concern Conference Room, 3rd /F PCA Bldg., Elliptical Road, Diliman, Quezon City;

WHEREAS, on 02 March 2021 at 10:00 am the Pre-Bid Conference for the Procurement Project was held at the BFAR BAC Office, 3rd /F PCA Bldg., Elliptical Road, Diliman, Quezon City;

WHEREAS, there were (5) bidders attended in the said Pre-bid Conference:

1. **Integrated Computer Sytems, Inc.;**
2. **Studio84 Inc (Switch);**
3. **Masangkay Computer Center;**
4. **Maxcor Inter-ventures, Co.; and**
5. **Silicon Valley Computer Group Phils., Inc.;**

WHEREAS, on 12 April 2021, 01:30 pm, the opening of bids for the Procurement Project was held at the BFAR BAC Office, 3rd /F PCA Bldg., Elliptical Road, Diliman, Quezon City by the BFAR Bids and Awards Committee (BAC);

WHEREAS, in the said Bid Opening, three (3) bidders submitted their bid envelopes namely:

1. **Joneco Tech Marketing Corp.;**
2. **Studio84 Inc.;** and
3. **Masangkay Computer Center;**

WHEREAS, during the preliminary evaluation using a non-discretionary pass or fail criteria, the Eligibility and Technical envelopes submitted by the bidders were opened and rated;

WHEREAS, **Joneco Tech Marketing Corp.** and **Masangkay Computer Center** were rated "PASSED" and declared eligible for the opening of the financial bid envelopes, while **Studio84 Inc.** was rated "FAILED" and declared as an outright disqualified due to non-submission of Original duly signed Omnibus Sworn Statement;

WHEREAS, the BAC informed the disqualified bidder/supplier that they have the right to file a Motion for Reconsideration within three (3) calendar days from receipt of the verbal/notice of disqualification. Subsequently, their Bid Documents were ordered to be re-sealed and will be opened only if the BAC finds meritorious grounds in their Motion for Reconsideration, if any;

WHEREAS, the BAC proceeded with opening of financial bid envelopes of the bidders who "PASSED" and declared eligible. During the opening of the financial bid envelopes submitted, their bids were read and tabulated as follows:

Financial Proposal (Php) Lot 1	Financial Proposal (Php) Lot 2
Masangkay Computer Center 21,540,625.00	Joneco Tech Marketing Corp. 7,762,440.00
	Masangkay Computer Center 7,617,888.00

WHEREAS, after reading and determining the amount of bid as proposed by the qualified bidders, the BAC declared the offer of **Masangkay Computer Center** as the single lowest bid as read for **Lot No. 1;** and for **Lot No. 2,** **Masangkay Computer Center** was declared as the lowest bid and **Joneco Tech Marketing Corp.** as the second lowest bid as read. The said procurement project will be subjected to post bidding evaluation and post qualification process to be conducted by the Technical Working Group (TWG);

WHEREAS, on 13 April 2021, the copies of the Eligibility, Technical and Financial envelopes of the bidder were transmitted to the TWG for post-evaluation and post-qualification process;

WHEREAS, on 14 April 2021, **Studio84, Inc.**, submitted a motion for reconsideration articulating the following:

STUDIO84, INC.

" _____ "

WHEREAS, after due deliberation, the members of the Bids and Awards Committee unanimously agreed and recommends the denial of the motion for Reconsideration filed by **Studio84, Inc.** A Letter of Denial was sent by the BAC and the **Studio84, Inc.** acknowledged its receipt on the same day;

WHEREAS, on 21 April 2021, BAC issued Resolution No.: 2021-04 series of 2021 on the Denial of the Motion for Reconsideration for **Lot No. 1** filed by **Studio84, Inc.**;

WHEREAS, within three (3) days from acknowledgement of the letter, the BAC did not receive any request for Reconsideration from **Studio84, Inc.**;

WHEREAS, on 29 April 2021, the TWG submitted the bid evaluation report stating *inter alia* their recommendation to disqualify all bidders for **Lot No. 1** and **2** for failure to address and provide all of the required items as specified in the bidding documents;

WHEREAS, on 03 May 2021, the BAC issued a Notice of Disqualification for the above-mentioned procurement project to **Joneco Tech. Marketing Corp.** and **Masangkay Computer Center**. However, Only the **Masangkay Computer Center** acknowledged its receipt on 05 May 2021 despite series of communication to the **Joneco Tech. Marketing Corp.**, the BAC did not receive any response from their end. The grounds of the disqualification are as follows:

JONECO TECH. MARKETING CORP. - LOT NO. 1

" _____ "

MASANGKAY COMPUTER CENTER - LOT NO. 1 AND 2

" _____ "

WHEREAS, on 08 May 2021, **Masangkay Computer Center** filed their First Motion for Reconsideration signed by Ms. Anna Sophia Yu Maligat which contained the following:

M.R. FOR LOT NO. 1

" _____ "

M.R. FOR LOT NO. 2

" _____ "

- WHEREAS,** after a series of deliberation, on 17 May 2021, the BAC issued Resolution No.: 2021-04 series of 2021 granting their First Motion for Reconsideration for **Lot No. 1** and immediate conduct of post-qualification of the bid/proposal submitted in order to prevent further delay and denial for **Lot No. 2** filed by **Masangkay Computer Center**;
- WHEREAS,** having no response from **Joneco Tech. Marketing Corp.** and Denial of the Motion for Reconsideration of **Masangkay Computer Center**, the BAC then declared the failure of bidding for **Lot No. 2** of the above-mentioned Procurement Project.
- WHEREAS,** on 17 May 2021, BAC issued Resolution No.: 2021-04 series of 2021 granting the Motion for Reconsideration for **Lot No. 1** of the Masangkay Computer Center and recommended the immediate conduct of post-qualification;
- WHEREAS,** on 24 May 2021, a Notice to Conduct Post-Qualification for **Lot No. 1** was sent to **Masangkay Computer Center** to submit the following documents: Latest Income Tax Returns (Previous 6 months); and Latest Business Tax Returns (Previous 6 months);
- WHEREAS,** on 27 May 2021, the BAC Secretariat received post qualification documents submitted by **Masangkay Computer Center**;
- WHEREAS,** on 31 May 2021, the BAC Secretariat transmitted the post qualification documents submitted by **Masangkay Computer Center** to the TWG for further detailed evaluation;
- WHEREAS,** on 04 June 2021, the Post-Qualification Report conducted by the TWG was received by the BAC;
- WHEREAS,** the TWG submitted the Post-Qualification Report stating *inter alia* their recommendation to post-disqualify **Masangkay Computer Center** in reference to the submitted Certificate of Authorized Resellership, the TWG

found out that Kim Store Enterprise Corp. is an "Online Gadget Store" in the Philippines and not a manufacturer;

WHEREAS, on 07 June 2021, the BAC together with the TWG conducted a meeting to deliberate the submitted Post-Qualification Report;

WHEREAS, the BAC, after due consideration on the report of the TWG, resolved to adopt the same and recommended for the post-disqualification of **Masangkay Computer Center**;

WHEREAS, on 08 June 2021, a Notice of Post-Disqualification was sent to **Masangkay Computer Center** which was duly received on 11 June 2021 and given three (3) calendar days to file a request for a reconsideration;

WHEREAS, on 14 June 2021, a second Motion for Reconsideration (MR) was filed by **MCC** articulating the following:

MASANGKAY COMPUTER CENTER

" _____ "

WHEREAS, on 19 July 2021, BAC issued Resolution No.: 2021-04.1 series of 2021 on adopting the recommendation to deny the Second Motion for Reconsideration for Lot No. 1. A letter was received by **Masangkay Computer Center** on 30 July 2021 stating the Denial of their Motion. Further, they were given three (3) calendar days to file another request for a reconsideration, if any;

WHEREAS, within the three (3) days given to file a request for reconsideration, the BAC did not receive any from **Masangkay Computer Center**;

NOW THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED, to recommend to the HoPE to declare a failure of bidding of the project entitled "**SUPPLY AND DELIVERY OF ICT COMPUTER HARDWARE FOR BFAR OFFICE PRODUCTIVITY PROJECT**".

RESOLVED FINALLY that the procurement project for **LOT NO. 1 AND 2** with **BID REFERENCE NO. 2021-04 ENTITLED "SUPPLY AND DELIVERY OF ICT COMPUTER HARDWARE FOR BFAR OFFICE PRODUCTIVITY PROJECT"** is hereby declared as **FAILED**.

Done this 03 day of AUG 2021 in Quezon City.


BIDS AND AWARDS COMMITTEE:


ATTY. DEMOSTHENES R. ESCOTO
Chairman


ATTY. BENJAMIN F.S. TABIOS, JR.
Vice Chairman


MARC LAWRENCE J. ROMERO
Member


MARY JOY A. MALVAS
Member


REX IAN D. BERJA
Provisional Member/End-User

APPROVED:

Commodore EDUARDO B GONGONA, PCG (Ret)
Head of Procuring Entity
BFAR Director