



Republic of the Philippines
Department of Agriculture

Bureau of Fisheries and Aquatic Resources

BIDS AND AWARDS COMMITTEE OFFICE

2/F Fisheries Building Complex, BPI Compound, Brgy. Vasra, Visayas Ave., Quezon City

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RESOLUTION NO.:2023-05A

Series of 2022

A Resolution Recommending Award of the Contract for Bid Reference No. 2023-05A (Re-Bidding) entitled “Supply and Delivery of Aquaculture Feeds for BFAR National Freshwater Technology Center (NFTC), and National Fisheries Development Center (NFDC)” to Handicapped Persons Producers Cooperative for being the Single Calculated and Responsive Bidder.

WHEREAS, on 27 February 2023, the Pre-Procurement Conference for the Procurement Project for the below-listed Purchase Requests was held via ZOOM at the BFAR BAC Room, 2 /F Fisheries Building Complex, BPI Compound, Brgy. Vasra, Visayas Ave., Quezon City;

PR NO.	DESCRIPTION	END-USER	APPROVED BUDGET FOR THE CONTRACT (ABC) (PHP)
23-01-01	SUPPLY AND DELIVERY OF FISH FRY BOOSTER, FRY MASH, STARTER, GROWER, AND BROODSTOCK PELLET FOR BFAR NFTC.	MS. EVELYN H. ZAFRA Head SSS, NFTC	₱ 5,164,410.00
23-01-23	SUPPLY AND DELIVERY OF FEEDS FOR MILKFISH, FRESHWATER PRAWN, AND MOLOBICUS FOR BFAR NFDC.	MS. CORDELIA B. NIPALES Supervising Aquaculturist, NFDC	₱ 1,143,239.00

WHEREAS, the abovestated Purchase Requests will be used for Tilapia broodstock development, tilapia fingerlings production, maintenance of tilapia breeders, and production and maintenance of other species cultured at the NFTC for CY 2023. While, NFDC, it will serve as a diet for various freshwater species.

WHEREAS, the BFAR Bids and Awards Committee (BFAR-BAC) advertised the Invitation to Bid for the above-mentioned procurement project consisting of *two (2)* lots and with a total Approved Budget for the Contract (ABC) amounting to **Six Million Three Hundred Seven Thousand Six Hundred Forty-Nine Pesos only (₱ 6,307,649.00)** and posted at the websites of

the Philippine Government Electronic Procurement Service (PhilGEPS) with Reference No. 9522174, BFAR (www.bfar.da.gov.ph) and in conspicuous places within the Bureau's premises for *seven (7)* days;

WHEREAS, on *08 March 2023*, the Pre-Bid Conference for the Procurement Project was held via ZOOM at the BFAR BAC Room, 2/F Fisheries Building Complex, BPI Compound, Brgy. Vasra, Visayas Avenue, attended by **(1) Handicapped Persons Producers Cooperative, (2) Double J Agri Supply, and (3) Santeh Feeds Corporation;**

WHEREAS, on *20 March 2023*, the scheduled Opening of Bids for the Procurement Project was held via ZOOM at the BFAR BAC Room, 2/F Fisheries Building Complex, BPI Compound, Brgy. Vasra, Visayas Avenue, Quezon City Quezon City, the BFAR BAC opened the bids submitted by **(1) Handicapped Persons Producers Cooperative** (for Lot Nos. 1 and 2), **(2) Double J Agri Supply** (for Lot No. 1), and **(3) Santeh Feeds Corporation** (for Lot No. 2) in public and in the presence of the bidder's representatives to determine the latter's compliance with the Eligibility, Technical and Financial requirements specified in the PBD;

WHEREAS, during the preliminary examination of bids, the BFAR BAC examined the submitted eligibility and technical documents of the *three (3)* bidders versus a checklist to ascertain if the required documents were all submitted, using a discretionary pass/fail criterion;

WHEREAS, after opening the first (1st) envelope (Eligibility and Technical component) submitted by **Santeh Feeds Corporation**, the BAC found that **Santeh Feeds Corporation** is not compliant with the conformity with Technical Specifications as it failed to state comply to the Statement of Compliance in the submitted Technical Specifications. Thus, the BAC rated the technical component of **Santeh Feeds Corporation's** bid as **"Failed"** and declared the latter as *disqualified* to proceed further with the procurement process as it failed to comply with Section VII, Statement of Compliance which states the bidder must state either "Comply" or "Not Comply" against each of the individual parameters of each Specification among others stating the corresponding performance parameter of the equipment offered. xxx;

WHEREAS, after opening the first (1st) envelope (Eligibility and Technical component) submitted by **Handicapped Persons Producers Cooperative**, the BAC declared that the latter was able to submit the required legal, technical, and financial documents/requirements. Consequently, the BAC rated the technical component of Handicapped Persons Producers Cooperative's bid as "Passed";

- WHEREAS,** after opening the first (1st) envelope (Eligibility and Technical component) submitted by **Double J Agri Supply**, the BAC declared that the latter was able to submit the required legal, technical, and financial documents/requirements. Consequently, the BAC rated the technical component of Handicapped Persons Producers Cooperative's bid as "Passed";
- WHEREAS,** the BAC proceeded to open the second envelope (Financial component) of **Handicapped Persons Producers Cooperative** and **Double J Agri Supply** whose technical component was rated "Passed";
- WHEREAS,** the bid-offer of **Handicapped Persons Producers Cooperative** is **One Million Ninety-One Thousand pesos (Php 1,091,000.00)**;
- WHEREAS,** during the opening of the second envelope (Financial component) of **Double J Agri Supply**, the representative from **Handicapped Persons Producers Cooperative** interrupted and questioned the sealing of the said envelope by **Double J Agri Supply**. She contested that the sealing is not in accordance with the proper sealing and marking of bids specified in the PBD, particularly in Section III. Bid Data Sheet, Clause 15.
- WHEREAS,** the BAC declared the Financial component submitted by **Double J Agri Supply** as non-compliant for filing the Financial document original copy, copy 1, and copy 2 in one envelope;
- WHEREAS,** GPPB Resolution 2014-11-10 NPM 118-2014 states that **"Whether the Sealing and Markings Requirements under Clause 19.1 of the Instruction to Bidders (ITB) of the Philippine Bidding Documents (PBDs) and Section 25.1 of the revised Implementing Rules and Regulations (IRR) of the Republic Act (RA) No. 9184 are MANDATORY."**
- WHEREAS,** GPPB Resolution 2014-11-10 NPM 118-2014 also states that **"The term used for sealing and marking of bids is SHALL. This connotes the mandatory nature of the rules as the ordinary signification of the word SHALL is imperative. For this reason, we have consistently opined that failure to observe the rules on proper sealing and marking of bid may serve as a ground to disqualify a bidder."**
- WHEREAS,** after due evaluation, the BAC determined that the bid of **Handicapped Persons Producers Cooperative** is within the ABC.;

WHEREAS, the BAC informed both *Santeh Feeds Corporation* and *Double J Agri Supply* that they may file a request for reconsideration within *three (3) calendar days*;

WHEREAS, both the disqualified bidder did not file any request for reconsideration;

WHEREAS, on 24 March 2023, the TWG submitted the detailed Bid Evaluation Report proposing that *Handicapped Persons Producers Cooperative* be declared as the Single Calculated Bidder and therefore recommended to proceed in the conduct of the Post Qualification procedure;

WHEREAS, on the same date, a Notice was sent to *Handicapped Persons Producers Cooperative*;

WHEREAS, on 10 April 2023, the TWG recommended in the Post Qualification report that the award for the procurement project be awarded to *Handicapped Persons Producers Cooperative*, being the Single Calculated and Responsive Bid;

WHEREAS, the BAC, upon due consideration of the report of the TWG, resolved to adopt the same and recommend the awarding of the contract to *Handicapped Persons Producers Cooperative*;

NOW THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED, that the procurement of the project with **Bid Reference No. 2023-05A (Re-Bidding)** entitled **“Supply and Delivery of Aquaculture Feeds for BFAR National Freshwater Technology Center (NFTC), and National Fisheries Development Center (NFDC)”**, be awarded to **Handicapped Persons Producers Cooperative** in the amount of **Four Million Nine Hundred Ninety-Eight Thousand One Hundred pesos only (Php 4,998,100.00)** for **Lot No. 1** and **One Million Ninety-One Thousand pesos only (Php 1,091,000.00)** for **Lot No. 2** for being the bidder who offered the *Single Calculated and Responsive Bid*;

RESOLVED FINALLY that the Notice of Award be issued to the above-stated bidder, for the preparation of the contract agreement, Notice to Proceed, and commencement of the delivery of the Goods.

Done this 10th day of April in Quezon City.


BID AND AWARDS COMMITTEE:

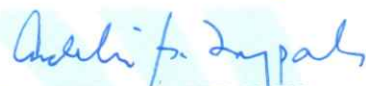

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Provisional Member/End-User
Supervising Aquaculturist, NFDC

APPROVED/DISAPPROVED:


ATTY. DEMOSTHENES R. ESCOTO
Head of Procuring Entity
BFAR Director
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