# BIDS AND AWARDS COMMITTEE (BAC)
# RESOLUTION NO. 05-027-22
## PB-16-22-A

## RECOMMENDING DECLARATION OF FAILURE OF BIDDING THROUGH CONDUCT OF PUBLIC BIDDING UNDER SECTION 10 OF THE REVISED IMPLEMENTING RULES AND REGULATIONS (IRR) OF REPUBLIC ACT (RA) NO. 9184

**WHEREAS,** on 11 January 2022, Mr. Michael J. Dalumpines, Chairman and President, as Head of Procuring Entity, approved the Annual Procurement Plan ("APP") for CY 2022 of APO Production Unit, Inc. ("APUI") upon favorable recommendation of the Bids and Awards Committee ("BAC");

**WHEREAS,** included in the APP of APUI for CY 2022 is the **Rebidding of the Supply and Delivery of One (1) Lot of Book Paper (PB-16-22-A).** The Approved Budget for the Contract ("*ABC*") for the said project is **Three Million Eight Hundred Fifty-One Thousand Pesos (PhP 3,851,000.00)**;

**WHEREAS**, in compliance with the pertinent provisions of Republic Act ("*RA*") No. 9184, otherwise known as the "Government Procurement Reform Act", the BAC Secretariat advertised the Invitation to Bid for the *Rebidding of the* ***Supply and Delivery of One (1) Lot of Book Paper (PB-16-22-A)*** dated 3 May 2022 in the Philippine Government Electronic Procurement System (PhilGEPS), APUI Website (www.apo.gov.ph), and in conspicuous place at the premises of the APUI;

**WHEREAS**, likewise in furtherance with the pertinent provisions of RA No. 9184 that will ensure the transparency of the process, observers from the Commission on Audit (COA) Resident Auditor, as well as observers from the private sector were invited to observe and witness the conduct of the Pre-Bid Conference, Submission and Opening of Bids, Bid Evaluation and Post Qualification as scheduled;

**WHEREAS**, on 11 May 2022, BAC convened for the scheduled Pre-Bid Conference. Unfortunately, no bidder attended the said proceeding;

**WHEREAS**, on 23 May 2022, the scheduled deadline for the Submission and Opening of Bids, no bidder submitted its bid;

**WHEREAS**, pursuant to Section 35.1 of the Revised IRR of RA 9184, the BAC shall declare the bidding a failure when:

a.) No bids are received;

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**WHEREAS**, in the interest of time and to protect the best business interest of the company, BAC resolved to recommend to the HOPE the declaration of failure of bidding and to conduct mandatory review and evaluate Bidding Documents for proposed re-bidding activity or the resort to Alternative Mode of Procurement defending on the recommendation of the mandatory review;

**NOW, THEREFORE**, We, the Members of the BAC, by the virtue of powers vested on us by law, after duly considering the recommendation of the Technical Working Group ("*TWG*"), hereby **RESOLVED** to recommend to the HOPE:

1. To declare a Failure of Bidding for the *Rebidding of the* ***Supply and Delivery of One (1) Lot of Book Paper (PB-16-22-A)*** (PhilGEPS Reference No. 8637717) and;

2. To conduct mandatory review and evaluation of the terms, conditions, and specifications in the Bidding Documents for the same project pursuant to Section 35.5 of the Revised IRR of RA 9184.

Done this 24th day of May, 2022 at APO Production Unit, Inc., Philippine Information Agency (PIA) Building, Visayas Avenue, Diliman Quezon City, Philippines.

**BAC MEMBERS**

**DOMINIC F. TAJON**
Chairperson

**KARL PAULO C. DAMIAN**
Vice-Chairperson

**FREDERICK S. TARUN**
Member

**JOSEFINA L. OMOL**
Member

**MICHAEL ROMIL D. SANTIAGO**
Member

Approved:

**MICHAEL J. DALUMPINES**
HOPE

//mbm 5.24.22