BIDS AND AWARDS COMMITTEE (BAC)
RESOLUTION NO. 06-040-22
TFB-11-22-C

RECOMMENDING AWARD OF CONTRACT FOR THE SUPPLY AND DELIVERY OF ONE (1) UNIT CROSSOVER UTILITY VEHICLE (LOT 1) THROUGH NEGOTIATED PROCUREMENT UNDER TWO-FAILED BIDDINGS (SECTION 53.1)

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 approved APP of APO for CY 2022 is the *Supply and Delivery of One (1) Unit Crossover Utility Vehicle (Lot 1) through Negotiated Procurement Under Two-Failed Biddings (Section 53.1) under (TFB-11-22-C).* The Approved Budget for the Contract ("*ABC*") for the said project is One Million Six Hundred Eighty Thousand Pesos (PhP1,680,000.00);

WHEREAS, Procuring Entity can directly negotiates a contract with a technically, legally ad financially capable supplier, contractor if there has been failure of competitive bidding for the second time as provided for in Section 35 of RA 9184 and its IRR, please see table below the procurement activities relative to this project:

Code	ITB Posting	Pre-Bid Conference	Submission and Opening	Result of Bidding
PB-11-22	22 February 2022	2 March 2022	14 March 2022	Failure of Bidding – No Bids Received
PB-11-22-A	29 March 2022	6 April 2022	18 April 2022	Failure of Bidding – No Bids Received
TFB-11-22	26 April 2022		29 April 2022	Failure of Bidding – No Bids Received
TFB-11-22-B	2 June 2022		8 June 2022	Failure of Bidding – No Bids Received

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 *Supply and Delivery of One (1) Unit Crossover Utility Vehicle (Lot 1) through Negotiated Procurement Under Two-Failed Biddings (Section 53.1) under (TFB-11-22-C)* dated 9 June 2022 in the Philippine Government Electronic Procurement System (PhilGEPS), APO Website (www.apo.gov.ph), and in conspicuous place at the premises of the APO Production Unit, Inc.;

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 Opening and Submission of Negotiated Documents as scheduled;

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WHEREAS, on 9 June 2022, the BAC through its Secretariat BAC sent Invitation to Renegotiate to three (3) suppliers, namely:

1. Nissan (Sumulong Branch);
2. SFM Sales Corp.; and
3. MGM Motor Trading (Nissan Quezon Avenue)

WHEREAS, on 13 June 2022, the scheduled deadline for the Opening and Submission of Negotiated Documents, the BAC received one (1) bid proposal from **MGM Motor Trading, Inc. (Nissan Quezon Avenue)** During the preliminary examination of bids, the BAC checked the submitted documents against the checklist of required documents to ascertain if they are all present;

WHEREAS, the BAC using a non-discretionary "pass/fail" criterion found and rated passed the 1st envelope containing the Technical Components of **MGM Motor Trading, Inc. (Nissan Quezon Avenue)** for complying with the all the requirements stated in the bidding documents and the provisions of RA No. 9184;

WHEREAS, BAC proceeded with the opening of the 2nd envelope using a non-discretionary "pass/fail" criterion and therefore found and rated passed the 2nd envelope containing the Financial Components of **MGM Motor Trading, Inc. (Nissan Quezon Avenue)** with a bid proposal of as follows;

Abstract of Bids "As Read"
(Please see Annex "A")

MGM Motor Trading, Inc. (Nissan Quezon Avenue)	Bid Amount (As Read)	% Variance from ABC
Supply and Delivery of One (1) Unit Crossover Utility Vehicle (Lot 1) through Negotiated Procurement Under Two-Failed Biddings (Section 53.1) under (TFB-11-22-C)	**PhP1,679,000.00**	**0.0005**
----------Nothing Follows----------		

WHEREAS, on 14 June 2022, the BAC with the assistance of the Technical Working Group (TWG) conducted the detailed evaluation of bids using a non-discretionary "pass/fail" criterion in considering the following:

Abstract of Bids "As Calculated"
(Please see Annex "B")

MGM Motor Trading, Inc. (Nissan Quezon Avenue)	Bid Amount (As Calculated)	% Variance from ABC
Supply and Delivery of One (1) Unit Crossover Utility Vehicle (Lot 1) through Negotiated Procurement Under Two-Failed Biddings (Section 53.1) under (TFB-11-22-C)	**PhP1,679,000.00**	**0.0005**
----------Nothing Follows----------		

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WHEREAS, upon careful examination, validation and verification of all the eligibility, technical and financial requirements submitted by **MGM Motor Trading, Inc. (Nissan Quezon Avenue)**, as the Single Calculated Bid, has been found to be responsive;

NOW, THEREFORE, We, the Members of the BAC, hereby RESOLVE, as it is hereby RESOLVED:

a) To **DECLARE** that **MGM MOTOR TRADING, INC. (NISSAN QUEZON AVENUE)** as the Single Calculated and Responsive Bidder for the *Supply and Delivery of One (1) Unit Crossover Utility Vehicle (Lot 1) through Negotiated Procurement Under Two-Failed Biddings (Section 53.1) under TFB-11-22-C.* PhilGEPS Reference No. 8507300;

b) To **RECOMMEND** for approval and award of contract by the **HOPE** of APO Production Unit, Inc. the foregoing findings.

RESOLVED at APO Production Unit, Inc., Philippine Information Agency (PIA) Building, Visayas Avenue, Diliman, Quezon City this 20th day of June, 2022.

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

/lag 6.22.22