BIDS AND AWARDS COMMITTEE (BAC)
RESOLUTION NO. 06-023-22
TFB-16-22

RECOMMENDING DECLARATION OF FAILURE OF NEGOTIATED PROCUREMENT UNDER SECTION 53.1 (TWO-FAILED BIDDINGS) 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 **Supply and Delivery of One (1) Lot of Book Paper (TFB-16-22)**. The Approved Budget for the Contract ("*ABC*") for the said project is **Four Million Ninety-Seven Thousand Five Hundred Pesos (PhP 4,097,500.00);**

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 Renegotiate for the **Supply and Delivery of One (1) Lot of Book Paper (TFB-16-22)** dated 2 June 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 Conference for the Submission and Opening of Negotiation Documents (Offers/Proposal) as scheduled;

WHEREAS, on 8 June 2022, BAC convened for the scheduled for the Negotiation Documents (Offers/Proposal). Unfortunately, no bidder attended the said proceeding;

WHEREAS, no bidder submitted its bid, 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;

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/renegotiate activity or the resort to Alternative Mode of Procurement defending on the recommendation of the mandatory review;

BAC Resolution No. 06-023-22

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 **Supply and Delivery of One (1) Lot of Book Paper (TFB-16-22)** *(PhilGEPS Reference No. 8720374) and;*

2. To change the mode of procurement from Competitive Bidding to Negotiated Procurement under Section 53.9 (Small Value Procurement), subject to the required approvals, and to re-advertise and/or posting, as provided for in the Annex "H" Consolidated Guidelines for the Alternative Methods of Procurement of this IRR.

Done this 10th day of June, 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 6.10.2022