



BIDS AND AWARDS COMMITTEE (BAC) 1

PROJECT DETAILS

Invitation to Bid Number	PB20-07-036COR
Title	Procurement of Two (2) Year Sea-Freight Services
Mode of Procurement	Public Bidding
End User	Logistics Management Department (LMD)
Approved Budget for the Contract (ABC)	Six Million Pesos (PhP6,000,000.00), VAT Exclusive, Zero-Rated Transaction
Date of APP Approval	November 14, 2019
Budget Authorization Number	191101464

RESOLUTION DECLARING FAILURE OF PUBLIC BIDDING

WHEREAS, the Bids and Awards Committee (BAC) 1 handled the procurement of the Philippine Amusement and Gaming Corporation (PAGCOR) with the project details presented above;

WHEREAS, on March 4, 2020, the Procurement Department (PD), acting as the BAC Secretariat, received the Procurement Processing Request (PPR), approved Annual Procurement Plan (APP) for CY 2020, Abstract of Canvass and other pertinent documents relative to the procurement project;

WHEREAS, during the Pre-Procurement Conference held on June 25, 2020, the BAC 1, together with the representatives from the end-user, Logistics Management Department (LMD), reviewed and evaluated all the documents presented including the terms of reference/technical specifications integrated in the Bidding Documents;

WHEREAS, in the same meeting, the BAC 1 resolved to proceed with the finalization of the Bidding Documents for the project and posting of the requirement for having noted that all of the documents were found to be in order;

WHEREAS, the Invitation to Bid (ITB) was posted from August 25, 2020 to September 14, 2020, at the websites of PAGCOR and the Philippine Government Electronic Procurement System (PhilGEPS) and in a conspicuous place within the premises of PAGCOR Corporate Annex Office;

WHEREAS, copies of the ITB were also sent through electronic mail to the prospective bidders listed in the PAGCOR's Registry of Suppliers;

WHEREAS, Bid Bulletin No. 1 was issued to reflect the revision in the Bidding Schedule of the Bidding Documents. The Pre-Bid Conference was moved from September 2, 2020 to September 3, 2020 and the Submission and Opening of Bids was also moved from September 14, 2020 to September 15, 2020;

WHEREAS, on September 3, 2020, during the Pre-Bid Conference, two (2) prospective bidders attended the forum, namely:

1. LBC Express Inc.; and
2. Redgold Forwarder, Inc.

WHEREAS, Bid Bulletin No. 2 was issued as a result of the discussions and clarifications raised during the Pre-Bid Conference to reflect the revisions in the Bidding Schedule and Technical Specifications in the Bidding Documents. The Submission and Opening of Bids was moved from September 15, 2020 to September 16, 2020;

WHEREAS, only one (1) bidder, Redgold Forwarder Inc., bought the Bidding Documents for the project;

WHEREAS, on September 16, 2020, the deadline for the Submission and Receipt of Bids, only one (1) bidder, Redgold Forwarder Inc., submitted its bid for the said project;

WHEREAS, after the Opening and Preliminary Examination of the First (1st) Bid Envelope (Eligibility Documents and Technical Component), the result was as follows:

Name of Bidder	Remarks
Redgold Forwarder Inc.	Passed. Qualified for the Opening and Preliminary Examination of the Second (2 nd) Bid Envelope (Financial Component).

WHEREAS, upon completion of the Opening and Preliminary Examination of the Second (2nd) Bid Envelope (Financial Component), Redgold Forwarder Inc. complied with the bidding requirements prescribed in the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act (R.A.) 9184, with a financial bid in the total amount of **Two Million Three Hundred Fifty-Seven Thousand One Hundred Forty Pesos (PhP2,357,140.00)**;

WHEREAS, on September 23, 2020, during the conduct of detailed bid evaluation, the PD presented the evaluation of the end-user to the BAC 1, with details as follows:

Description	Financial Bid, as Calculated	Evaluation of End-User/TWG
Procurement of Two (2) Years Sea-Freight Services	Two Million Three Hundred Fifty-Seven Thousand One Hundred Forty	We note that the bid offer per line item is within the maximum budget per sea-freight, However, the total financial offer of PhP2,357,140.00 is

	Pesos (PhP2,357,140.00)	not compliant to the required ABC of the project which is PhP6,000,000.00, per memo dated September 21, 2020.
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WHEREAS, in the same meeting, the BAC 1 instructed the PD to issue a Notice of Disqualification to Redgold Forwarder Inc. based on the above findings/observations;

WHEREAS, a Notice of Disqualification was issued to Redgold Forwarder Inc. and was received by the latter on December 28, 2020;

WHEREAS, on December 29, 2020, the PD received from Redgold Forwarder, Inc. a letter Request for Reconsideration;

WHEREAS, in a meeting held on January 7, 2021, the BAC 1 extensively discussed the request and considered the following:

1. Section VII (Technical Specification) of the Bidding Documents, for the project provides:

The budget and contract price is the amount of Six Million Pesos (PhP6,000,000.00) Vat Exclusive, Zero-Rated Transaction, for a period of two (2) years or until budget is depleted/consumed, whichever comes first.

xxx xxx xxx

2. Bid Form (Bid Price) of the Bidding Documents, page 81, which provides:

xxx xxx xxx

Description	TOTAL COST/BID PRICE FOR TWO (2) YEARS*
Procurement of Two (2) Year Sea-Freight Services * represents the Contract Price which is in the amount of Six Million Pesos (PhP6,000,000.00)	Amount in Figures: PhP _____ Amount in Words: _____

xxx xxx xxx

3. Based on the evaluation of the end-user, Logistics Management Department (LMD) per report dated September 21, 2020, it stated that:

xxx xxx xxx

"We note that the bid offer per line item is within the maximum budget per sea freight. However, the total financial offer of PhP2,357,140.00 is not compliant to the required ABC of the project which is PhP6,000,000.00)".

XXX XXX XXX

4. Upfront admission of the mistake indicated in your letter.

WHEREAS, in the same meeting, the BAC 1 resolved to DENY the Request for Reconsideration with finality and no further Request for Reconsideration shall be entertained;

WHEREAS, on February 4, 2021, the Resolution on the Request for Reconsideration was sent to Redgold Forwarder Inc. and the latter acknowledged receipt of the said reply letter on February 10, 2021;

WHEREAS, Redgold Forwarder Inc. also submitted a signed Waiver of its Right to File a Protest of the BAC's decision;


WHEREAS, on February 15, 2021, the BAC 1 resolved to declare a Failure of Bidding, pursuant to Section 35.1(b) of the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act (R.A.) 9184, since the lone bidder was declared ineligible.

NOW, THEREFORE, WE, the Members of the Bids and Awards Committee (BAC) 1, hereby **RESOLVE**, as it is hereby **RESOLVED**, to declare a Failure of Public Bidding for the **Procurement of Two (2) Years Sea-Freight Services under ITB No. PB20-07-036COR**, pursuant to Section 35.1(b) of the 2016 Revised Implementing Rules and Regulations (IRR) of the Republic Act (R.A.) 9184, since the bidder was declared ineligible.

RESOLVED, at the Corporate Lounge, Sixth (6th) Floor, PAGCOR Executive Office, 1588 M.H. Del Pilar corner Pedro Gil Streets, Malate, Manila, this 15th day of February 2021.




RODERICK R. CONSOLACION
Chairperson, LG



ALIAH M. COMAGUL
Member, LG


JERRY ADOR G. TARROBAL
Member, SSD



NORALYN T. PLABASAN
Alternate Provisional Member
End-User, LMD

NOT PRESENT

WILZA S. MAGPUSAO
Vice-Chairperson, ED



ANNA MARIE S. CALUAG
Member, HRDG

NOT PRESENT

CARLOS C. CANLAS
Member, TD

