



# Philippine Amusement and Gaming Corporation

*Creating Opportunities Beyond Gaming*

## PROCUREMENT DEPARTMENT

### **MEMORANDUM**

September 23, 2020

**FOR : THE CHAIRMAN AND CHIEF EXECUTIVE OFFICER** ✓  
**THRU : THE VICE PRESIDENT**  
**LEGAL GROUP** ✓  
**FROM : THE ASSISTANT VICE PRESIDENT**  
**SUBJECT : BIDS AND AWARDS COMMITTEE (BAC) 4 RESOLUTION**

May we forward for your approval, the BAC 4 Resolution declaring the Failure of Rebidding for the Supply and Delivery of TITO Ticket Paper under ITB No. PB20-00-003CORa-02 and recommending for the approval by the Chairman and Chief Executive Officer of the resort to Negotiated Procurement (Two-Failed Biddings) and the revision/updating of the Annual Procurement Plan (APP) for CY 2020.

Thank you.

**CHRISTINE ROSE J. FERNANDEZ**

*BSB/mbp9/21/20*

MELBA PERANEBONDO  
Assistant  
Procurement Officer

S. NO. 2020-1/04-10/803  
PB2020-01/30



**BIDS AND AWARDS COMMITTEE (BAC) 4**

**PROJECT DETAILS**

Invitation to Bid Number	<b>PB20-00-003CORa-02</b>
Title	<b>Supply and Delivery of TITO Ticket Paper</b>
Mode of Procurement	Public Bidding (Rebidding)
End User	Slot Machine Department (SMD)
Approved Budget for the Contract (ABC)	The total ABC is <b>Forty-Four Million Four Hundred Nine Thousand Six Hundred Pesos (PhP44,409,600.00), VAT Exclusive, Zero-Rated Transaction.</b>
Date of APP Approval	November 14, 2019
Budget Authorization Number	19101464

**RESOLUTION DECLARING THE FAILURE OF REBIDDING AND RECOMMENDING FOR APPROVAL BY THE CHAIRMAN AND CHIEF EXECUTIVE OFFICER OF THE RESORT TO NEGOTIATED PROCUREMENT (TWO-FAILED BIDDINGS) AND THE REVISION/UPDATING OF THE ANNUAL PROCUREMENT PLAN (APP) FOR CY 2020**

**WHEREAS**, the Bids and Awards Committee (BAC) 4 has been tasked to handle the procurement requirements of the Philippine Amusement and Gaming Corporation (PAGCOR) with the project details presented above;

**WHEREAS**, this project has already been processed by BAC 4 under ITB No PB20-00-003COR for the Supply and Delivery of TITO Ticket Paper during its first (1<sup>st</sup>) conduct of public bidding and the said project was declared a failure on January 30, 2020 pursuant to Section 35.1 (b) of the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act (RA) 9184, since the bidder was declared ineligible;

**WHEREAS**, the process for public bidding for the above-mentioned project was reprised under ITB No. PB20-00-003CORa-02;

**WHEREAS**, during the Pre-Procurement Conference held on February 13, 2020, the BAC 4, together with the representatives from the end-user, Slot Machine Department (SMD), reviewed and evaluated all the documents presented;

**WHEREAS**, in the same meeting, the BAC 4 resolved to proceed with the finalization of the Bidding Documents for the project and its posting, noting that the rest of the documents were found to be in order;

**WHEREAS**, the Invitation to Bid was posted from February 20, 2020 to March 16, 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, and also sent through electronic mail to prospective bidders listed in the PAGCOR's Registry of Suppliers;

**WHEREAS**, Bid Bulletin No. 1 dated March 9, 2020 was issued as a result of the discussions and clarifications raised during the Pre-Bid Conference to reflect the revisions in the Invitation to Bid and Bid Data Sheet in the Bidding Documents;



**WHEREAS**, during the Pre-bid Conference held on March 2, 2020, four (4) prospective bidders attended the forum, namely;

1. Metro Paper Converter Phils. Corp.;
2. Glimex, Inc.;
3. Advance Computer Forms, Inc.; and
4. Streaks N' Beats

**WHEREAS**, two (2) prospective bidders bought the Bidding Documents for the project, namely;

1. Metro Paper Converter Phils. Corp. and
2. Niclao Trading;

**WHEREAS**, on the deadline for the Submission and Receipt of Bids last March 16, 2020, two (2) bidders submitted their bids, namely;

1. Metro Paper Converter Phils. Corp. and
2. Niclao Trading

**WHEREAS**, after the Opening and Preliminary Examination of the First (1<sup>st</sup>) Bid Envelope (Eligibility Documents and Technical Component), the result were as follows:

Name of Bidder	Remarks
Metro Paper Converter Phils. Corp.	Failed. The bidder did not specify " <i>None</i> " on its submitted statement of all On-going Private Contracts.
Niclao Trading	Failed. The similar contract submitted by the bidder was <i>Thermal Roll Paper</i> while the similar contact were defined as <i>Ticket-In Ticket-Out (TITO) Ticket</i> .

**WHEREAS**, the authorized representative of Metro Paper Converter Phils. Corp. signified its intention to file a Request for Reconsideration of its disqualified bid;

**WHEREAS**, on March 18, 2020, the PD received the Request for Reconsideration from Metro Paper Converter Phils. Corp.;

**WHEREAS**, in the meeting held on June 16, 2020, the BAC 4 resolved to declare the retroactive suspension of the bidding activity starting March 17, 2020 and its eventual resumption last July 6, 2020;

**WHEREAS**, on July 20, 2020, the PD, acting as the BAC Secretariat, presented to BAC 4 the Request for Reconsideration of Metro Paper Converter Phils. Corp. and after deliberations, the BAC 4 resolved to DENY the same with finality and no further Request for Reconsideration shall be entertained;

**WHEREAS**, on August 13, 2020, the BAC 4 Resolution on the Request for Reconsideration was sent to Metro Paper Converter Phils. Corp.;

**WHEREAS**, the authorized representative of Metro Paper Converter Phils. Corp. acknowledged the receipt of the BAC decision denying the Request for Reconsideration on August 17, 2020;

**WHEREAS**, on August 25, 2020, the PD presented to BAC 4 that Metro Paper Converter Phils. Corp. no longer filed a protest after the lapse of seven (7) calendar days from the receipt of the BAC resolution denying the Request for Reconsideration;

**WHEREAS**, the BAC 4 noted said information and resolved to declare a Failure of Rebidding pursuant to Section 35.1(b) of the 2016 Revised IRR of R.A. 9184 since all the participating bidders were declared ineligible and recommend the use of Negotiated Procurement (Two Failed Biddings) taking into consideration that there has been a two (2) consecutive failures of bidding;

**WHEREAS**, in the same meeting on August 25, 2020, the BAC 4 requested the end-user to conduct a mandatory review and evaluation of the terms, conditions, and specifications in the Bidding Documents, including its cost estimates to determine the cause of the failure of bidding;

**WHEREAS**, after review, the end-user and the BAC 4 resolved to use the same technical specifications, terms and conditions and the ABC for the project;

**WHEREAS**, the BAC 4 likewise requested the end-user to submit a revised Project Procurement Management Plan (PPMP) to reflect the change on the mode of procurement from Competitive Bidding to Negotiated Procurement (Two-Failed Biddings) that shall be utilized for the subsequent revision of the Annual Procurement Plan (APP);

**NOW, THEREFORE**, We, the Members of the Bids and Awards Committee (BAC) 4, hereby **RESOLVE** as it is hereby **RESOLVED**:

- 1) To declare a Failure of Bidding for the Supply and Delivery of TITO Ticket Paper under ITB No. PB20-00-003CORa-02, pursuant to Section 35.1 (b) of the 2016 Revised IRR of RA 9184, since all the bidders were declared ineligible;
- 2) To recommend for approval by the Chairman and Chief Executive Officer the following:
  - a) Resort to Negotiated Procurement (Two-Failed Biddings) for the Supply and Delivery of TITO Ticket Paper, pursuant to Sections 35.5 and 53.1 since there occurred two (2) failed biddings, with reposting, pursuant to Section 54.2 and Annex H of the 2016 Revised IRR of RA 9184; and
  - b) Revision/updating of the 2020 Annual Procurement Plan (APP) with Negotiated Procurement (Two-Failed Biddings) as the new mode of procurement for the above-mentioned requirement.



**WHEREAS**, the authorized representative of Metro Paper Converter Phils. Corp. acknowledged the receipt of the BAC decision denying the Request for Reconsideration on August 17, 2020;

**WHEREAS**, on August 25, 2020, the PD presented to BAC 4 that Metro Paper Converter Phils. Corp. no longer filed a protest after the lapse of seven (7) calendar days from the receipt of the BAC resolution denying the Request for Reconsideration;

**WHEREAS**, the BAC 4 noted said information and resolved to declare a Failure of Rebidding pursuant to Section 35.1(b) of the 2016 Revised IRR of R.A. 9184 since all the participating bidders were declared ineligible and recommend the use of Negotiated Procurement (Two Failed Biddings) taking into consideration that there has been a two (2) consecutive failures of bidding;

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**NOW, THEREFORE**, We, the Members of the Bids and Awards Committee (BAC) 4, hereby **RESOLVE** as it is hereby **RESOLVED**:

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- 2) To recommend for approval by the Chairman and Chief Executive Officer the following:
  - a) Resort to Negotiated Procurement (Two-Failed Biddings) for the Supply and Delivery of TITO Ticket Paper, pursuant to Sections 35.5 and 53.1 since there occurred two (2) failed biddings, with reposting, pursuant to Section 54.2 and Annex H of the 2016 Revised IRR of RA 9184; and
  - b) Revision/updating of the 2020 Annual Procurement Plan (APP) with Negotiated Procurement (Two-Failed Biddings) as the new mode of procurement for the above-mentioned requirement.

RESOLVED, through Video Conferencing using Zoom Application this 25<sup>th</sup> day of August 2020.

NOT PRESENT

\_\_\_\_\_  
ARNOLD FERDINAND C. SALVOSA  
BAC Chairperson, LG



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ALBERTO R. VILLARAMA  
Vice-Chairperson, ITD

NOT PRESENT

\_\_\_\_\_  
MARIA CONCEPCION A. GLORIA-  
RUBIO  
Member, IVD

\_\_\_\_\_  
JOSEPH ROLANDO M. BARREDO  
Member, TD

\_\_\_\_\_  
COLBERT M. BAUTISTA  
Member, GLDD

\_\_\_\_\_  
IAN LESTER D. BALDOS  
Member, FMED

\_\_\_\_\_  
RONALD G. PINEDA  
Provisional Member,  
SMD

\_\_\_\_\_  
EDWIN Y. BATBATAN  
Alternate Provisional Member,  
SMD

APPROVED BY:

\_\_\_\_\_  
ANDREA D. DOMINGO  
Chairman and Chief Executive Officer