



**MARKETING AND ENTERPRISE SERVICES GROUP  
PROCUREMENT DEPARTMENT**

**MEMORANDUM**

October 13, 2022

**FOR : THE VICE PRESIDENT**  
Human Resource and Development Group (HRDG) *N*

**FROM : THE ASSISTANT VICE PRESIDENT**

**SUBJECT : BIDS AND AWARDS COMMITTEE (BAC) 1 RESOLUTION  
FOR APPROVAL**

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May we forward, for your approval, the BAC 1 Resolution Declaring the Failure of Negotiated Procurement (Two-Failed Biddings) and Re-conduct of the Supply and Delivery of Four (4) Lots Various Electrical Fixtures, Construction/Hardware Materials and Services for Repairs and Maintenance for Corporate Departments and SOGs under ITB No. FB22-04-012COR.

Thank you.

**CHRISTINE ROSE J. FERNANDEZ**

CDN/omr

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**CHRISTINE ROSE J. FERNANDEZ**

  
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**BIDS AND AWARDS COMMITTEE (BAC) 1**

**PROJECT DETAILS**

Invitation to Bid Number	FB22-04-012COR
Title	Supply and Delivery of Four (4) Lots Various Electrical Fixtures, Construction/Hardware Materials and Services for Repairs and Maintenance for Corporate Departments and SOGs
Mode of Procurement	Negotiated Procurement (Two-Failed Biddings)
End User	Facilities Management & Engineering Department (FMED)
Approved Budget for the Contract (ABC)	Nine Hundred Forty-Three Thousand Five Hundred Fifty-Eight Pesos and 94/100 (PhP943,558.94), VAT Exclusive, Zero-Rated Transaction
Date of APP Approval	November 14, 2020
Budget Authorization Number	19101464

**RESOLUTION DECLARING THE FAILURE OF NEGOTIATED PROCUREMENT (TWO-FAILED BIDDINGS) AND RECONDUCT THEREOF**

**WHEREAS**, the Bids and Awards Committee (BAC) 1 has been tasked to handle the procurement of the Philippine Amusement and Gaming Corporation (PAGCOR) with the project details presented above;

**WHEREAS**, the requirement was subjected to public bidding, unfortunately, there occurred two (2) consecutive failure of biddings;

**WHEREAS**, the BAC 1 declared failure of the procurement projects due to the following reasons:

ITB NO.	DATED DECLARED AS FAILED	REASON
PB21-01-012COR	June 30, 2021	Pursuant to Section 35.1 (b) of the 2016 Revised IRR of RA 9184 since the lone bidder was declared ineligible.
PB21-01-012CORa-09	November 15, 2021	Pursuant to Section 35.1 (a) of the 2016 Revised IRR of R.A. 9184, since no bid was received.

**WHEREAS**, on February 2, 2022, the Board of Directors approved to proceed with the conduct of Negotiated Procurement (Two (2) Failed Biddings) even after the lapse of thirty (30) calendar days prescriptive period;

**WHEREAS**, the project was reprised under ITB No. FB22-04-012COR;

**WHEREAS**, in the Pre-Procurement Conference held last March 21, 2022, the BAC 1, together with the representatives from the end-user, Facilities Management & Engineering Department (FMED), reviewed and evaluated all the documents presented;

**WHEREAS**, in the same meeting, the BAC 1 resolved to proceed with the finalization of the Request for Quotation (RFQ) for the project and posting of the requirement considering that the rest of the documents were found to be in order;

**WHEREAS**, the RFQ was posted 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 from June 8, 2022 to June 22, 2022 and also sent through electronic mail to prospective bidders listed in the PAGCOR's Registry of Suppliers;

**WHEREAS**, during the Negotiation Meeting held on June 15, 2022, no bidder attended the forum;

**WHEREAS**, only one (1) bidder, Uptown Industrial Sales, Inc. bought the RFQ and submitted its quotation for Lots 1 & 3 on the deadline for the Submission and Receipt of the Best Offer on June 22, 2022;

**WHEREAS**, upon conclusion of the Opening of the submitted Best Offer, the result is as follows:

Name of Bidder	Lot No.	Approved ABC (VAT Exclusive, Zero Rated Transaction)	Submitted Best Offer	Remarks
Uptown Industrial Sales, Inc.	1	PhP702,536.51	PhP687,201.55	Within the Budget
	3	PhP100,047.43	PhP98,924.35	Within the Budget

**WHEREAS**, the BAC Chairperson informed the lone bidder for Lots 1 & 3 that the submitted Best Offer shall undergo detailed bid evaluation;

**WHEREAS**, in a meeting held on June 27, 2022, the PD informed the BAC 1 that the submitted RFQ by the lone bidder, Uptown Industrial Sales, Inc., was incomplete wherein, pages 19 to 24 of the RFQ (Additional Conditions of Bidders Commitment) were not included in the submittals;

**WHEREAS**, in the same meeting, the BAC 1 instructed the PD to issue a Notice of Disqualification to Uptown Industrial Sales, Inc. pursuant to Section 35.1 (b) of the 2016 Revised Implementing Rules and Regulations (IRR) of the Republic Act (R.A.) 9184, since the supplier was declared ineligible;

**WHEREAS**, in the deliberation meeting held on August 1, 2022, the PD presented to the BAC 1, the acknowledged Notice of Disqualification and the signed Waiver to file a request for reconsideration from Uptown Industrial Sales, Inc.;

**NOW, THEREFORE, We**, the Members of the Bids and Awards Committee (BAC) 1, hereby **RESOLVE**, as it is hereby **RESOLVED**:

- 1) To declare a Failure of Negotiated Procurement (Two-Failed Biddings) of the Supply and Delivery of Four (4) Lots Various Electrical Fixtures, Construction/Hardware Materials and Services for Repair and Maintenance for Corporate Departments and SOGs under ITB No. **FB22-04-012COR** based on the following:

Lot No.	Reasons
1 & 3	Pursuant to Section 35.1 (b) of the 2016 Revised Implementing Rules and Regulations (IRR) of the Republic Act (R.A.) 9184, since the lone bidder was declared ineligible.
2 & 4	Pursuant to Section 35.1 (a) of the 2016 Revised Implementing Rules and Regulations (IRR) of the Republic Act (R.A.) 9184, since no bid was received.

- 2) To re-conduct the procurement of the Supply and Delivery of Four (4) Lots Various Electrical Fixtures, Construction/Hardware Materials and Services for Repairs and Maintenance for Corporate Departments and SOGs through Negotiated Procurement (Two-Failed Biddings) with re-posting after the conduct of mandatory review and evaluation of the terms, conditions and specifications of the project, including its cost estimate.

**RESOLVED**, at the Corporate Lounge, Sixth (6<sup>th</sup>) Floor, PAGCOR Executive Office, New Coast Hotel Manila, 1588 M.H. del Pilar Street corner Pedro Gil Street, Malate, Manila, this 1<sup>st</sup> day of August 2022.

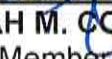
**NOT PRESENT**


**RODERICK R. CONSOLACION**  
 BAC 1 Chairperson, LG

  
**RODRIGO D. SILVERIO JR.**  
 Vice-Chairperson, ACD

**NOT PRESENT**


**EMMANUEL D. PACABIS**  
 Member, SSD

  
**ALIAH M. COMAGUL**  
 Member, LG

  
**LUIS ANTONIO JOSE MARIA V. DELA CONCEPCION**  
 Member, CMED

**NOT PRESENT**

**CARLOS C. CANLAS**  
 Member, TD

  
**CECILIA M. BUMANLAG**  
 Alternate Provisional Member, FMED End-User, FMED

**APPROVED BY:**

  
**ALBERTO O. REGINO JR.**  
 Vice President

CDN/omr

PD-22-3862

