



BIDS AND AWARDS COMMITTEE (BAC) 3

PROJECT DETAILS:

Invitation to Bid Number	SV22-00-003CORa-04
Title	Supply and Delivery of Blank Exec Keys
Mode of Procurement	Negotiated Procurement (Small Value Procurement)
End User	Treasury Department (TD)
Approved Budget for the Contract (ABC)	Forty-Two Thousand Pesos (PhP42,000.00), VAT Exclusive, Zero-Rated Transaction
Date of APP Approval	October 27, 2021
Budget Authorization Number	21100645

RESOLUTION DECLARING THE FAILURE OF NEGOTIATED PROCUREMENT (SMALL VALUE PROCUREMENT) AND RECOMMENDING THE APPROVAL BY THE VICE PRESIDENT FOR THE RECONDUCT THEREOF

WHEREAS, the Bids and Awards Committee (BAC) 3 has been tasked to handle the procurement of the Philippine Amusement and Gaming Corporation (PAGCOR) with the project details presented above;

WHEREAS, on October 12, 2021, the Procurement Department (PD), performing the functions of the BAC Secretariat, received the Procurement Processing Request (PPR) and other pertinent documents for the project;

WHEREAS, the project was processed by the BAC 3 under ITB no. SV22-00-003COR during its first procurement but was declared a failure of Negotiated Procurement on December 9, 2021, pursuant to Section 35.1(a) of the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act (R.A.) 9184, since no bid/quotation was received, and the BAC 3 further recommended the re-conduct for the project;

WHEREAS, on February 28, 2022, the PD received the approval by the Chief of Staff (COS) on the BAC Resolution declaring the failure of Negotiated Procurement (Small Value Procurement) and its re-conduct;

WHEREAS, in the Pre-Procurement Conference held on March 23, 2022, the BAC 3, together with the end-user, TD, reviewed and evaluated all the documents presented, including the revised budget for the project;

WHEREAS, in the same meeting, the BAC 3 instructed the BAC Secretariat to proceed with the finalization of the RFQ;

WHEREAS, the project was reprised through Negotiated Procurement (Small Value Procurement) under ITB No. SV22-00-003CORa-04;

WHEREAS, the RFQ was posted from May 3, 2022 to May 10, 2022 at the conspicuous place located within the premises of PAGCOR Corporate Annex Office;

WHEREAS, copies of the RFQ were also sent through electronic mail to fifteen (15) prospective bidders from the PAGCOR's Registry of Suppliers;

WHEREAS, on the scheduled Submission and Receipt of Quotations last May 10, 2022, only one (1) bidder submitted its quotation, Main Hardware, Inc.;

WHEREAS, during the Deliberation on the results of detailed bid evaluation on May 19, 2022, the BAC 3 declared Main Hardware, Inc. as the bidder having the Single Calculated Quotation in the total amount of Thirty-Seven Thousand Five Hundred Pesos (PhP37,500.00), VAT Exclusive, Zero-Rated Transaction;

WHEREAS, in a memorandum dated May 16, 2022, the TD stated the following:

"Presented below is our evaluation of the Request for Quotation submitted by Main Hardware, Inc. for the Supply and Delivery of Blank Exec Keys under ITB no. SV22-00-003CORa-04:

- 1. The bidder is compliant with the technical specifications and the additional terms and conditions.*
- 2. The financial quotation is within the approved budget.*

xxx xxx xxx"

WHEREAS, the Notification as the bidder having the SCQ was issued to Main Hardware, Inc. on May 26, 2022, which receipt was acknowledged by the bidder's authorized representative on June 10, 2022;

WHEREAS, the Procurement Planning, Monitoring and Services Division, Procurement Department (PPMSD, PD) verified the eligibility and post-qualification documents of Main Hardware, Inc. and found the following documents to be valid and authentic, through its verification report dated May 26, 2022:

1. Securities and Exchange Commission (SEC) Registration Certificate;
2. Business Permit for CY 2022;
3. Certificate of PhilGEPS Registration; and
4. Omnibus Sworn Statement (To verify if the bidder is not included in the list of blacklisted suppliers)

WHEREAS, during the Deliberation on the results of the post-qualification held on August 1, 2022, the PD informed the BAC 3 that the notarial stamps of both the

Omnibus Sworn Statement and the Certificate of Authority of Signatory submitted by the bidder having the SCQ, did not indicate a Mandatory Continuing Legal Education (MCLE) Compliance Number, which denotes the authority of the Lawyer to notarize such documents;

WHEREAS, the BAC 3 resolved to post-disqualify Main Hardware, Inc. based on the above-mentioned grounds and instructed the PD to prepare the Notice of Post-Disqualification to the said bidder;

WHEREAS, the Notice of Post-disqualification was sent to Main Hardware, Inc. on August 30, 2022 which receipt was acknowledged by its authorized representative on September 8, 2022;

WHEREAS, in a meeting held on September 12, 2022, the PD presented to the BAC 3, the acknowledged Notice of Post-disqualification and informed that no request for reconsideration was received within the prescribed period of three (3) calendar days from receipt of the notice;

WHEREAS, in the same meeting, the BAC 3 resolved to declare a Failure of Negotiated Procurement (Small Value Procurement) for the Supply and Delivery of Blank Exec Keys under ITB no. SV22-00-003CORa-04 pursuant to Section 35.1 (c) of the 2016 Revised IRR of RA 9184, since all bids failed post-qualification;

WHEREAS, upon confirmation with the representative from the end-user, TD, they signified their intent to proceed with the re-conduct of the project with the same terms and conditions and the same ABC shall be utilized;

WHEREAS, the BAC 3 further instructed to proceed with the finalization of the Request for Quotation (RFQ) upon receipt of the approval for the re-conduct of the project;

NOW, THEREFORE, We, the Members of the Bids and Awards Committee (BAC) 3, hereby **RESOLVE** as it is hereby **RESOLVED**:

- 1) To declare a Failure of Negotiated Procurement (Small Value Procurement) for the Supply and Delivery of Blank Exec Keys under ITB no. SV22-00-003CORa-04 pursuant to Section 35.1 (c) of the 2016 Revised IRR of RA 9184 since all bids failed post-qualification; and
- 2) To recommend for the approval of the Vice President of the Human Resource and Development Group, as duly delegated by the Board of Directors (BoD), as the Head of Procuring Entity (HoPE) of PAGCOR, the reconduct of the Negotiated Procurement (Small Value Procurement) for the Supply and Delivery of Blank Exec Keys;

RESOLVED, via Video Conferencing using the Zoom Application, this 12th day of September 2022.

NOT PRESENT

JUAN MIGUEL A. MAGLAYA
Chairperson, CID

HECTOR D. MELENCIO
Vice-Chairperson, ITD

NOT PRESENT

MARGARITA C. BANGI
Member, HRCOE

CATALINA F. VILLAFLO
Member, ITD

DIANNE DP. DORIA-CERDEÑA
Member, CID

ROMEO R. CRUZ
Member, TD

MARIA AURORA T. LIWANAG
Alternate Provisional Member
End-user, TD

APPROVED BY:

ALBERTO O. REGINO JR.
Vice President

MJC / mrh0914

PD22-3814

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