



**BRANCH BIDS AND AWARDS COMMITTEE (BBAC)  
CASINO FILIPINO DAVAO**

**PROJECT DETAILS**

Invitation to Bid Number	FB22-04-002DAVd-08
Project Title	Supply and Delivery of Food and Beverages (F&B) for Various Marketing Events
Mode of Procurement	Negotiated Procurement (Two Failed Biddings)
End-user	Marketing Section
Approved Budget for Contract (ABC)	One Hundred Fifty Thousand Pesos (PhP 150,000.00), VAT Exclusive, Zero-Rated Transaction
Date of Final APP 2022 Approval	January 27, 2022
Budget Authorization Number	DAV2111-020

**RESOLUTION RECOMMENDING APPROVAL BY THE BRANCH MANAGER  
FOR THE CANCELLATION OF THE AWARD OF THE CONTRACT, AND  
DECLARATION OF THE FAILURE OF THE NEGOTIATED PROCUREMENT  
(TWO FAILED BIDDINGS)**

**WHEREAS**, on November 2, 2022, the Branch Manager, as duly delegated by the Board of Directors, approved the award of the contract to **H-5 Suites and Cafe Corporation**, for having submitted the Single Calculated Responsive Quotation (SCRQ) in the total amount of **One Hundred Forty-Eight Thousand Eight Hundred Pesos (PhP 148,800.00)**, VAT Exclusive, Zero-Rated Transaction, for Supply and Delivery of Food and Beverages (F&B) for Various Marketing Events under ITB No. FB22-04-002DAVd-08;

**WHEREAS**, the corresponding Notice of Award (NOA) dated November 3, 2022 was issued to **H-5 Suites and Cafe Corporation** on November 4, 2022 which was acknowledged by the bidder on the same day;

**WHEREAS**, on December 14, 2022, H-5 Suites and Cafe Corporation posted a performance security in the form of a Check no. 1599636 in the amount of Seven Thousand Four Hundred Forty Pesos (PhP 7,440.00), issued by China Bank;

**WHEREAS**, in the Consultation Meeting held on January 10, 2023, the PS presented to the BBAC the required performance security which was posted beyond the period stipulated in the IRR;

**WHEREAS**, Sections 37.1.4 (b) of the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act (RA) 9184, provides:

*“Notwithstanding the issuance of the Notice of Award, award of contract shall be subject to the following conditions:*

*b) Posting of performance security in accordance with Section 39 of this IRR;”*  
XXX...XXX...XXX

**WHEREAS**, Sections 37.2.1 of the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act (RA) 9184, provides:

*“The winning bidder shall post the required Performance Security and enter into contract with the Procuring Entity within ten (10) calendar days from the receipt of the winning bidder of the Notice of Award.”*

XXX...XXX...XXX

**WHEREAS**, in the same meeting, the BBAC CF-Davao resolved to disqualify H-5 Suites and Cafe Corporation pursuant to Sections 37.1.4 (b) and 37.2.1 of the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act (RA) 9184;

**WHEREAS**, the BBAC CF-Davao further declared a failure of the project pursuant to Section 35.1 (c) of the 2016 Revised IRR of RA 9184, which states:

*“35.1 The BAC shall declare the bidding a failure when:*

*c) All bids fail to comply with all the bid requirements or fail post-qualification, or in the case of Consulting Services, there is no successful negotiation;”*

XXX...XXX...XXX

**NOW, THEREFORE, We**, the Members of the Branch Bids and Award Committee (BBAC) CF-Davao, hereby **RESOLVE**, as it is hereby **RESOLVED**, to recommend for approval of the Branch Manager, as duly delegated by the board of Directors, the following:

1. Cancellation of the award of the contract to **H-5 Suites and Cafe Corporation** and revocation of the Notice of Award (NOA) for failure to submit a performance security within ten (10) calendar days from the receipt of the winning bidder of Notice of Award; and
2. Declaration of Failure of Bidding, pursuant to Section 35.1 (c) of the 2016 Revised IRR of RA 9184, since the bidder failed to comply with all the bid requirements.



**RESOLVED**, at the Office of the SBAM, Casino Filipino Davao, km 7, Lanang, Davao City  
this 10<sup>th</sup> day of January 2023.

  
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**REGINA C. LEMANA**  
Chairperson

Not Present  
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**ATTY. DIDITH A. SALAZAR**  
Vice-Chairperson

  
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**JESUSA H. DUROJA**  
Member

  
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**FORTUNATO T. GUMERA, JR.**  
Member

  
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**FORTUNATO E. GOGO**  
Member

Not Present  
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**MA. JULIE E. PATRATA**  
Member

  
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**BRYAN M. DELES**  
Alternate Provisional Member,  
Marketing Section

**APPROVED BY AUTHORITY OF THE PAGCOR BOARD OF DIRECTORS:**

  
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**ANTONIO V. COVARRUBIAS**  
BRANCH MANAGER

**APPROVED** ~~DISAPPROVED~~  
JANUARY 16, 2023  
BRANCH MANAGER