



BIDS AND AWARDS COMMITTEE (BAC) 3

PROJECT DETAILS

Invitation to Bid Number	SV22-11-050COR
Title	Supply and Delivery of Petty Cashbox (Heavy Duty)
Mode of Procurement	Negotiated Procurement (Small Value Procurement)
End User	Treasury Department (TD)
Approved Budget for the Contract (ABC)	Twenty Thousand Pesos (Php20,000.00), 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 FOR APPROVAL BY THE VICE PRESIDENT OF PROCUREMENT GROUP, AS THE HEAD OF PROCURING ENTITY OF 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 11, 2022, then Procurement Department (PD), performing the functions of the BAC Secretariat, received the Procurement Processing Request (PPR) and other pertinent documents for the project;

WHEREAS, in the Pre-Procurement Conference held on November 2, 2022, the BAC 3, together with the representative of the end-user, Treasury Department (TD), reviewed and evaluated all the documents presented including the Project Title, Delivery Schedule, Approved Budget for the Contract (ABC), Technical Specifications and the basis of costing for the project;

WHEREAS, the BAC 3 resolved to proceed with the finalization of the RFQ and its posting, after declaring that the rest of the documents were in order;

WHEREAS, the (RFQ) was posted at the websites of PAGCOR and the Philippine Government Electronic Procurement System (PhilGEPS), and in a bulletin board conspicuously located within the premises of PAGCOR Corporate Annex Office from December 5, 2022 to December 12, 2022;

WHEREAS, on December 5, 2023 the copies of Request for Quotation (RFQ) were sent, through electronic mail, to five (5) prospective bidders listed in the PAGCOR's Registry of Suppliers;

WHEREAS, on the deadline for the Submission and Receipt of Quotations on December 12, 2022, two (2) bidders, Stanley Bradley Trading, Inc. and MCSA Marketing, submitted their quotations for the said project;

WHEREAS, the then PD facilitated on December 12, 2022, the preparation of the Abstract of Canvass (AOC) of quotations that were submitted by the following bidders:

1. Stanley Bradley Trading Inc; and
2. MCSA Marketing.

WHEREAS, the financial quotation/offer, as read, were as follows:

Name of Supplier	Approved Budget for the Contract (ABC) (VAT Exclusive, Zero-Rated Transaction)	Financial Offer, As Read , VAT Exclusive, Zero-Rated Transaction	Variance from ABC of PhP20,000.00
Stanley Bradley Trading Inc.	PhP20,000.00	PhP19,800.00	1%
MCSA Marketing		PhP20,000.00	0%

WHEREAS, upon completion of the conduct of the detailed bid evaluation, the BAC 3, in its meeting held on December 22, 2022, determined the total calculated bid prices conducted by the end-user, Treasury Department (TD), detailed as follows:

Name of Supplier	Approved Budget for the Contract (ABC) (VAT Exclusive, Zero-Rated Transaction)	Financial Offer, As Calculated , VAT Exclusive, Zero-Rated Transaction	Rank
Stanley Bradley Trading Inc.	PhP20,000.00	PhP19,800.00	LCQ
MCSA Marketing		PhP20,000.00	2 nd LCQ

WHEREAS, the BAC 3 instructed the then PD to issue a Notice as the LCQ to Stanley Bradley Trading Inc. and proceed with the post-qualification process;

WHEREAS, the BAC 3, through the PD, sent on December 27, 2022, the notice to Stanley Bradley Trading Inc. declaring their quotations as the bidder having the LCQ and the advice to submit their post-qualification documents within a non-extendible period of three (3) calendar days from receipt of the Notice;

WHEREAS, Stanley Bradley Trading Inc. acknowledged the receipt of the Notice on December 27, 2022 and submitted the required post-qualification documents on December 28, 2022;

WHEREAS, on January 16, 2023, the then PD presented to the BAC 3, the result of evaluation of actual sample from the end-user, TD for the Petty Cash Box submitted by Stanley Bradley Trading Inc.;

WHEREAS, the BAC 3 discussed and resolved to post-disqualify the bid of Stanley Bradley Trading Inc. for failure to comply with the **minimum** required specifications of the item based on the actual sample submitted;

WHEREAS, on the same day, the BAC 3, identified the quotation of MCSA Marketing as the 2nd LCQ and instructed the then PD to issue a Notice thereto as the Second (2nd) bidder having the LCQ and to proceed with the post-qualification process;

WHEREAS, the BAC 3, through the Procurement Processing Department (PPD), issued on January 25, 2023, the Notice to MCSA Marketing declaring their bid as the Second (2nd) bidder having the LCQ and the advice to submit their post-qualification documents within a non-extendible period of three (3) calendar days from receipt of the Notice;

WHEREAS, MCSA Marketing acknowledged the receipt of the Notice on February 6, 2023 and submitted the following post-qualification documents on the same date:

1. Notarized Omnibus Sworn Statement; and
2. Actual Sample.

WHEREAS, on February 8, 2023, MCSA Marketing also submitted to the PPD, the following documents:

1. Business Permit, with BIN 117-00-2004-0000601;
2. DTI Certificate, with Business Name No.1310345; and
3. Philippine Government Electronic Procurement System (PhilGEPS) with Certificate Reference No.200203575142660421

WHEREAS, during the Deliberation Meeting held on February 28, 2023, the BAC 3 noted that all the documents submitted by MCSA Marketing were verified and evaluated by the end-user, TD, per Reports dated December 9, 2022 and February 8, 2023 and the PPMSD-PG, per Reports dated February 9, 22, and 23, 2023. The BAC 3 further noted that the results were found to be valid, in order and compliant with the requirements;

WHEREAS, the BAC 3 in the same meeting noted discrepancies in the business address of MCSA Marketing as indicated on the following documents submitted to PAGCOR:

DOCUMENTS	ADDRESS
Accomplished Request for Quotation	Room 206 Kim Siu Ching Foundation Building, #473 Sto. Cristo Street, Binondo, Manila
Electronic Business Permit – Renewal dated January 25, 2023	San Fernando St. 446, Barangay 282, San Nicolas, NCR, City of Manila, First District, 1010
Notarized Omnibus Sworn Statement	206 Kim Siu Ching Building, 473 Sto. Cristo Street, Binondo, Manila
Certificate of PhilGEPS Registration	San Fernando, Manila, Metro Manila, NCR, Philippines

WHEREAS, the BAC 3, based on the above, instructed the BAC Secretariat to notify the supplier regarding the discrepancies on the Business address and to ask MCSA Marketing to explain the issue;

WHEREAS, the BAC 3 also instructed the BAC Secretariat to issue a letter to MCSA Marketing inquiring on the correct business address / to submit their updated business address in the Business Permit and submit the same to the Bids and Awards Committee (BAC) 3 within thirty (30) calendar days from receipt of the Notice;

WHEREAS, the BAC 3, through the PPD, issued on March 9, 2023, the Notice to MCSA Marketing inquiring on the correct business address, which receipt was acknowledged on March 17, 2023;

WHEREAS, on March 20, 2023, the PPD received from MCSA Marketing a letter dated March 17, 2023, stating the following:

“XXX...XXX...XXX”

*This is to clarify that MCSA Marketing has moved on October 2022 to a new office address at **Room 206 Kim Siu Ching Foundation Building, 473 Sto. Cristo Street, Binondo, Manila** with Telephone Nos.8986-9710-1787,7738-8050, Telefax No.9253-4764, with an Email Address:mcsa.marketing@yahoo.com*

XXX...XXX...XXX”

WHEREAS, the BAC 3 and the end-user, TD, deliberated on the following:

- the Current Business Address reflected in the **Fire Safety Inspection Certificate (FSIC)** submitted by MCSA Marketing issued on December 15, 2022 in lieu of their updated Business Permit, is detailed below:

✓	For Business Permit (New / Renewal)
Postal Address	Room 206 KIM SIU CHING FOUNDATION BLDG, 473 STO, CRISTO ST., BINONDO, MANILA

- Details reflected in the submitted Electronic Business Permit – Renewal issued on January 25, 2023:

Date Issued	January 25, 2023
Address	San Fernando St. 446, Barangay 282, San Nicolas, NCR, City of Manila, First District, 1010

WHEREAS, the end-user, TD, expressed their concerns regarding the addresses and dates of permits (Business Permit and FSIC), considering that the FSIC was issued last December 15, 2022 reflecting the current Business Address, while the Business Permit which was issued last January 25, 2023 reflected the updated address of the supplier;

WHEREAS, the BAC 3, based on the observations raised by the end-user, TD, inquired whether MCSA Marketing submitted a copy of the proof of application indicating the current business address in the Business Permit;

WHEREAS, upon review of the submitted documents, no proof of application was submitted;

WHEREAS, the BAC 3, after taking into consideration all the concerns and observations discussed, instructed the end-user, TD, to conduct an ocular inspection to verify the current Business address of MCSA Marketing as indicated in the submitted Fire Safety Inspection Certificate;

WHEREAS, the end-user’s report on the result of the ocular inspection shall be presented to the BAC in another meeting;

WHEREAS, in the Continuation of the Deliberation Meeting held on May 24, 2023, the PPD presented the Ocular Inspection Report of the end-user, TD, dated May 16, 2023, stating the following:

XXX...XXX...XXX

In compliance with the instruction of the BAC 3 relative to the Supply and Delivery of Petty Cashbox (Heavy Duty), Treasury Department (end-user) conducted an ocular inspection and verification of the current business address

of MCSA Marketing. Presented below is the report of our team who went to the reported office addresses of MCSA:

1. The business address at San Fernando St. 446, Barangay 282, San Nicolas, NCR, City of Manila, First District, 1010 is already closed as confirmed with Ms. Cynthia Barce, secretary of Ms. Teresa Agsalud (Proprietor of MCSA Marketing).
2. The new office of MCSA Marketing is located at Kim Siu Ching Foundation Building, Room 206, Sto. Cristo Street, Binondo, Manila.
3. As explained by Ms. Cynthia Barce, they are still working out with the Department of Trade and Industry (DTI) to effect the change of their new business address and use this in all of their business-related documents such as the Business Permit, PhilGEPS, etc.

xxx...xxx...xxx

WHEREAS, the BAC 3, based on the above report from the end-user, TD, and considering that no proof of application from MCSA Marketing was submitted to indicate the current business address in the Business Permit, MCSA Marketing was declared as "Post-Disqualified", due to inconsistencies in the business address as indicated in the following documents submitted to PAGCOR:

DOCUMENTS	ADDRESS
Accomplished Request for Quotation	Room 206 Kim Siu Ching Foundation Building, #473 Sto. Cristo Street, Binondo, Manila
Electronic Business Permit – Renewal dated January 25, 2023	San Fernando St. 446, Barangay 282, San Nicolas, NCR, City of Manila, First District, 1010
Notarized Omnibus Sworn Statement	206 Kim Siu Ching Building, 473 Sto. Cristo Street, Binondo, Manila
Certificate of PhilGEPS Registration	San Fernando, Manila, Metro Manila, NCR, Philippines

WHEREAS, the corresponding Notice of Post-Disqualification dated June 13, 2023 citing the above-mentioned reason was issued to MCSA Marketing on June 14, 2023;

WHEREAS, the Notice of Post-Disqualification was acknowledged by MCSA Marketing on July 3, 2023;

WHEREAS, in the Deliberation Meeting held on July 5, 2023 and July 26, 2023, the PPD presented to the BAC 3 the signed Waiver to File a Request for Reconsideration of MCSA Marketing;

WHEREAS, the end-user, TD, was likewise advised to conduct a mandatory review and evaluation of the terms, conditions and specifications, including its cost estimates, pursuant to Annex H of the same IRR should they wish to proceed with the procurement of the said project;

WHEREAS, in the same meeting on July 5, 2023, the BAC 3 declared a Failure of Negotiated Procurement (Small Value Procurement) for the said project, pursuant to Section 35.1 (c) of the 2016 Revised IRR of RA 9184, since all the bidders failed in the post-qualification;

WHEREAS, in the Deliberation Meeting held on July 26, 2023, the end-user, TD, signified its intent for the reconduct of its procurement;

WHEREAS, the BAC 3 also instructed the end-user, TD, to conduct a mandatory review and evaluation of the terms, conditions and specifications, including its cost estimates, prior to the re-conduct of the project;

WHEREAS, the PPD informed the end-user, TD, on the approval of the Rationalization of the Logistics and Procurement Processes and Organization and further advised the end-user to course through the Procurement Processing Request (PPR) and other supporting documents for the reconduct of above-mentioned project to the Logistics and Facilities Management Group (LFMG) for appropriate action upon approval of the BAC Resolution on the Failure of Negotiated Procurement (Small Value Procurement) and Reconduct;

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 Petty Cashbox (Heavy Duty) under ITB No. SV22-11-050COR**, pursuant to Section 35.1 (c) of the 2016 Revised Implementing Rules and Regulations (IRR) of the Republic Act (R.A.) 9184, since all bidders failed in the post-qualification criteria; and
- 2) To recommend for approval by the Vice President of Procurement Group, as the Head of Procuring Entity, the reconduct of the Negotiated Procurement (Small Value Procurement) for the Supply and Delivery of Petty Cash Box (Heavy Duty) , after conduct of mandatory review and evaluation of the terms and conditions and specifications in the RFQ, including its cost estimates pursuant to Annex H of the same IRR.

RESOLVED, through Video Conferencing via Zoom Application, this 26th day of July 2023.



JUAN MIGUEL A. MAGLAYA
BAC 3 Chairperson, CID


HECTOR D. MELENCIO
Vice-Chairperson, ITD

Not Present

MARGARITA C. BANGI
Member, HRDG



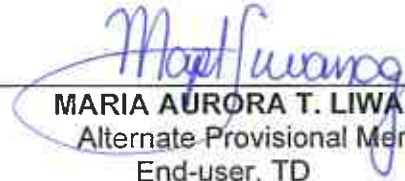
DIANE P. DORIA-CERDEÑA
Member, RMD



CATALINA F. VILLAFLO
Member, ITD




ROMEO R. CRUZ JR.
Member, FG



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

APPROVED BY:



COL. JOEL L. ENRILE (RET.)
Vice President, Procurement Group
Head of the Procuring Entity

MFS / EAB / MJC / sqd 08302023