

Bids and Awards Committee (BAC) for Goods

**PROCUREMENT OF SUPPLY, DELIVERY AND INSTALLATION OF TWENTY EIGHT (28)
BRAND NEW INVERTER SPLIT TYPE AIR CONDITIONING UNITS**

**RESOLUTION NO. BG-2019-021
(Declaration of Failure of Bidding)**

The BASES CONVERSION AND DEVELOPMENT AUTHORITY (BCDA), through its 2019 Corporate Budget, bids out the **Procurement of Supply, Delivery, and Installation of Twenty Eight (28) Brand New Inverter Split type Air Conditioning Units**, with an Approved Budget for the Contract (ABC) in the amount of **One Million Two Hundred Thousand Pesos (PhP1,200,000.00)**, inclusive of all applicable taxes and fees.

WHEREAS, the BAC for Goods, through its Secretariat, posted an Invitation to Bid from 08 October 2019 to 14 October 2019 in the following:

- 1) Philippine Government Electronic Procurement System (PhilGEPS) website;
- 2) BCDA Website; and
- 3) In a conspicuous place reserved for the purpose in the premises of BCDA.

WHEREAS, in response to the said posting, two (2) interested bidders bought the bid documents, namely:

- 1) Aequus Enterprise; and
- 2) Global Aire Technology Corp.

WHEREAS, both the above-stated bidders submitted their eligibility documents, technical documents, and financial proposal prior to the deadline for submission and receipt of bids on 30 October 2019;

WHEREAS, on 30 October 2019, the envelopes which contained the eligibility documents, technical documents, and financial proposal of the aforementioned two (2) proponents were opened and subjected to a preliminary evaluation by BAC- G;

WHEREAS, during the preliminary evaluation of the submitted documents, the BAC-G declared that Aequus Enterprise was the lowest calculated bid. Subsequently, the BAC-G, through its Technical Working Group (TWG), conducted a post qualification on 07 November 2019 with Aequus Enterprise to verify the veracity and authenticity of its submitted eligibility and technical documents;

WHEREAS, on 18 November 2019, BAC-G evaluated the results of the post qualification submitted by TWG and found that Aequus Enterprise did not meet the technical requirements of the project per its Terms of Reference (TOR), as shown in the table below:

Other Specifications of the Equipment to be Installed as Stated in 3.A of the Terms of Reference	Observation
Blue fin condenser	Aequus Enterprise's air-conditioning units use gold fin condenser, therefore, non-compliant.
Locally manufactured	Aequus Enterprise offered air-conditioning units/parts which are not locally manufactured, therefore, non-compliant.
Parts should be available within Metro Manila and Central Luzon	Aequus Enterprise's air-conditioning parts are only available within Metro Manila, therefore, non-compliant.

WHEREAS, on 20 November 2019, BAC-G, pursuant to Section 34.5 of the IRR of RA 9184, duly notified Aequus Enterprise that it was post disqualified based on the aforementioned;

WHEREAS, on 28 November 2019, the BAC-G TWG, pursuant to the IRR of RA 9184, conducted a post qualification with Global Aire Technology Corp, being ranked as the second lowest calculated bidder;

WHEREAS, during the said post-qualification of Global Aire Technology Corp., it presented and offered air-conditioning units that are not locally manufactured and rendered its bid non-compliant;

WHEREAS, on 16 December 2019, BAC-G TWG submitted a report regarding the results of the post qualification with Global Aire Technology Corp. Based on the said report, while Global Aire Technology Corp. was able to comply with eligibility requirements, it did not meet the required specification of the air-conditioning units per 3.A.3 of the Terms of Reference (TOR);

WHEREAS, during its meeting on 26 December 2019, the BAC-G declared a failure of bidding after declaring the bidders post disqualified for not complying with the Terms of Reference (TOR), and pursuant to Section 35.1 of the Revised IRR of Republic Act No. 9184, to wit:

"The BAC shall declare the bidding a failure when:

- 1) xxx;
- 2) xxx;
- 3) All bids failed to comply with the bid requirements or fail post qualification, or xxx.

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

1. To declare a FAILURE OF BIDDING for the Procurement of Supply, Delivery and Installation of Twenty Eight (28) Brand New Inverter Split type Air Conditioning Units;
2. For the End-User of the Project to conduct a mandatory review and evaluation of the terms, conditions, and specifications in the Bidding Documents, including its cost estimates, pursuant to Section 35.2 of the Revised IRR of RA 9184; and
3. To proceed with the re-bidding of the Procurement of Supply, Delivery and Installation of Twenty Eight (28) Brand New Inverter Split type Air Conditioning Units, pursuant to Section 35.3 of the Revised IRR of RA 9184.


RESOLVED, at the BCDA Corporate Center Office, this 27th day of December 2019.

BIDS AND AWARDS COMMITTEE (BAC) FOR INFRASTRUCTURE


BGEN CARLOS F. QUITA (Ret)

Chairperson



MARIA SOLEDAD C. SAN PABLO
Vice Chairperson


EDILBERTO R. REBATO, JR
Member


JOSE ANGELO V. CUNANAN
Member


SAMUEL JOHN L. VIDALLON
Member

Approved by:


AILEEN AN. R. ZOSA
Executive Vice President

