



REPUBLIC OF THE PHILIPPINES

DEPARTMENT OF AGRARIAN REFORM

Tunay na Pagbabago sa Repormang Agraryo

Bids and Awards Committee Primary

BAC Resolution No. 18, Series of 2019

RESOLUTION RECOMMENDING AWARD OF CONTRACT FOR THE PROCUREMENT OF SECURITY SERVICES CY 2019 FOR THE DEPARTMENT OF AGRARIAN REFORM CENTRAL OFFICE (DARCO) TO TOPWATCH SECURITY AND INVESTIGATION SERVICES, INC. FOR A PERIOD OF SEVEN (7) MONTHS, FROM June 1, 2019 to December 31, 2019

WHEREAS, the Department of Agrarian Reform (DAR), through the proposed 2019 General Appropriations Act (GAA) intends to apply the sum of Philippine Pesos Fifteen Million Seventy Six Thousand Eight Hundred Thirty-Nine and 20/100 Only (PhP15,076,839.20) being the Approved Budget for the Contract (ABC), inclusive of taxes, to payments under the contract for the procurement of Security Services for CY 2019 for the DAR Central Office for a period of eight (8) months, from May 1-December 31, 2019;

WHEREAS, on March 25, 2019, the existing contract of the current service provider was extended until April 30, 2019, as resolved by the BAC-Primary on its meeting on the same date, and as specified under BAC Resolution No. 10 series of 2019 (refer to Annex "A", copy of said BAC Resolution);

WHEREAS, on March 27, 2019, the Department of Agrarian Reform-Bids and Awards Committee-Primary (DAR-BAC) posted the Invitation to Bid (ITB) in the DAR website, DAR bulletin board, and the Philippine Government Electronic Procurement System (PhilGEPS) website with reference no. 6120384 (refer to Annex "B", copy of PhilGEPs posting);

WHEREAS, on April 3, 2019, during the pre-bid conference, only one prospective bidder was present, Topwatch Security and Investigation Services, Inc., and raised queries on the published bidding documents (refer to Annex "C", copy of attendance sheet);

WHEREAS, on April 8, 2019, Supplemental Bid Bulletin (SBB) No. 1 was posted at the PhilGEPS and DAR websites, and DAR bulletin board to address the queries that were raised during the pre-bid conference, and to clarify or amend certain provisions in the published bidding documents (refer to Annex "D", copy of SBB No. 1);

WHEREAS, on April 15, 2019, the deadline of submission of bids, only two (2) bids were received based on the records of the BAC Secretariat and these are from: 1) ICT Security and Investigation Agency, Inc.; and 2) Topwatch Security and Investigation Services, Inc. (refer to Annex "E" copy of Abstract of Bids);

WHEREAS, the bid of ICT Security and Investigation Agency, Inc. was declared as the Lowest Calculated Bid (LCB) and was subjected to detailed evaluation by the BAC-Technical Working Group (TWG) immediately after the bid opening on April 15, 2019;

WHEREAS, on April 16, 2019, during the BAC-Primary meeting, the TWG reported that ICT Security and Investigation Agency, Inc. (ICT) failed in the detailed evaluation, and was recommended for disqualification for failure to comply with the prescribed daily minimum wage rate and the number of days considered paid in a year as indicated under ITB Clause 13.1 of the Bid Data Sheet of the Philippine Bidding Documents issued (refer to Annex "F.1", copy of detailed evaluation report-ICT);

WHEREAS, in view of the failure of the LCB in the detailed evaluation, the BAC-Primary instructed the TWG to proceed with the detailed evaluation of the second LCB, Topwatch Security and Investigation Services, Inc. (Topwatch), immediately after the BAC meeting in the morning of April 16, 2019, and make a report to the BAC in the afternoon of the same day. Upon presentation of the results of the detailed evaluation by the TWG (refer to Annex "F.2", copy of detailed evaluation report-Topwatch), it was found out that the second LCB, Topwatch, passed all the requirements, and is eligible to undergo post-qualification. The TWG requested a clearance from the BAC-Primary to proceed with its post-qualification evaluation since time is of the essence;

WHEREAS, on the same day (April 16, 2019), the BAC-Primary notified the LCB, (ICT) of its disqualification which they received on April 17, 2019, and to which a Motion for Reconsideration (MR) was filed by said bidder on April 22, 2019 (refer to Annex "G.1" & "G.2", copy of notice of disqualification and ICT's MR);

WHEREAS, on April 17, 2019, the BAC-Primary issued a Notice of Post-Qualification to the second LCB, Topwatch (refer to Annex "H", copy of Notice of Post-Qualification) which was conducted on April 22, 2019;

WHEREAS, on April 24, 2019, the TWG reported to the BAC-Primary, the result of the post-qualification evaluation of the second LCB, Topwatch, which was found to be responsive with all the requirements of the bidding documents (refer to Annex "I", copy of post-qualification evaluation report);

WHEREAS, during the same BAC meeting (April 24, 2019), the BAC-Primary, upon careful deliberation on the justifications submitted by the LCB (ICT), resolved to issue a denial on the MR, which was received by ICT on April 29, 2019 (refer to Annex "J", copy of BAC-Primary's letter denying the MR);

WHEREAS, on May 7, 2019, during its meeting, the BAC-Primary ascertained that the LCB (ICT), did not file a protest on May 6, 2019, the deadline of submission of protest on the BAC-Primary's denial of the MR filed by the said bidder;

NOW THEREFORE, premises considered, the BAC-Primary resolved to recommend to the HOPE the award of contract for the Procurement of Security Services for CY 2019 for the Department of Agrarian Reform Central Office (DARCO) to the second Lowest Calculated and Responsive Bidder (2nd LCRB), **Topwatch Security and Investigation Services, Inc.** for a period of seven (7) months only or from June 1, 2019 to December 31, 2019 in the total amount of **Philippine Pesos Thirteen Million One Hundred Seventy-Two Thousand Seven Hundred Two and 97/100 only (PhP13,172,702.97)**

Done this 7th day of May, 2019 at the DAR Central Office, Diliman, Quezon City.


SUSANA E. LEONES

Director

Regular Member, BAC- Primary


NESTOR C. BAYONETO

Director

Alternate Provisional Member,
BAC-Primary for Goods and Services


PRIMO C. LARA

Director/End-user Representative/
Provisional Member-BAC Primary
For Goods and Services


ATTY. JIM G. COLETO

Board Member, DARAB
Vice-Chair, BAC-Primary


ATTY. DAVID D. ERRO

Undersecretary

Chairperson, BAC-Primary

APPROVED BY:


LUIS MEINRADO C. PANGULAYAN

Undersecretary, Legal Affairs Office