

REPUBLIC OF THE PHILIPPINES

# DEPARTMENT OF AGRARIAN REFORM

Tunay na Pagbabago sa Repormang Agraryo

## BIDS AND AWARDS COMMITTEE (PRIMARY)

### RESOLUTION NO. 59, SERIES OF 2019

#### RESOLUTION RECOMMENDING THE AWARD OF CONTRACT FOR THE PROCUREMENT OF LOT 1- SEVENTEEN (17) UNITS 35 HP 4-WD TRACTORS WITH IMPLEMENTS TO AGRI-COMPONENT CORPORATION

**WHEREAS**, the Department of Agrarian Reform (DAR) is mandated to respond to the development requirements of the Agrarian Reform Beneficiary Organizations (ARBOs) through the provision of appropriate farm machineries and equipment that will enable them to become climate resilient;

**WHEREAS**, in response to these development requirements, the DAR through the Office of the Undersecretary for Support Services intends to apply from the continuing General Appropriations Act (GAA) of 2018 the sum of Philippine Pesos One Hundred Million One Hundred Twenty Nine Thousand Three Hundred Pesos only (PhP100,129,300.00) being the Approved Budget for the Contract (ABC) for payments under the contract for the supply and delivery of farm machineries and equipment comprising of five (5) lots for the "Climate Resilient Farm Productivity Support Project;

**WHEREAS**, on September 7, 2019, the Department of Agrarian Reform-Bids and Awards Committee-Primary (DAR-BAC Primary) 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. 6450669,(refer to Annex "A" copy of PhilGEPS posting);

**WHEREAS**, two (2) bidders acquired bidding documents for lots 1, 2 & 3 namely: 1) ADA Manufacturing Corp.; and 2) Agri Component Corp.;

**WHEREAS**, on September 17, 2019, the DAR-BAC conducted a pre-bidding conference which was attended by sixteen (16) interested bidders;

**WHEREAS**, as a result of the pre-bidding conference, Supplemental Bid Bulletin (SBB) No. 1 was issued on September 24, 2019 to incorporate in the Philippine Bidding Documents some changes in the Instructions to Bidders (ITB) and General Conditions of Contract (GCC) pursuant to GPPB Resolution No. 07-2019 and 12-2019, clarifications on the Bid Data Sheet (BDS), and some revisions on the

Technical Specifications of Lots 1 to3, 4 & 5 (refer to Annex "B", copy of SBB no. 1);

**WHEREAS**, on October 1, 2019, the deadline of submission of bids, the two (2) bidders that purchased bidding documents submitted their bid proposals for lot 1 and the result of eligibility and preliminary check of their bid submission is shown below, (refer to Annex "C" Abstract of Bids):

Lot 1 -17 units 35 HP 4 WD tractors with implements-ABC=Php 23,134,450.00

Name of Bidder	Lot	Eligibility	Technical Envelope	Rating	Financial Bid (PhP)	Rank
ADA Manufacturing Corp. (ADAMCO)	1	Passed	Passed	Passed	21,896,000.00	LCB
Agri Component Corporation	1	Passed	Passed	Passed	23,090,250.00	2 <sup>nd</sup> LCB

**WHEREAS**, on October 14, 2019, the BAC-TWG conducted the detailed technical evaluation of the LCB and found out that the LCB does not comply with the required specifications on Power Take-Off (PTO): Minimum 86% of rated power, minimum @ 540 rpm shaft speed as validated from the AMTEC test report and the brochure submitted (refer to Annex "D" Detailed Bid Evaluation Report);

**WHEREAS**, on October 18, 2018, the BAC-Primary issued a Notice of Disqualification to ADAMCO and a Motion for Reconsideration was filed by said bidder on October 21, 2019 which was denied in BAC-Primary's letter dated October 28, 2019 for lack of merit (refer to Annex E.1,E.2 & E.3-letters from DAR and ADAMCO);

**WHEREAS**, on November 4, 2019, ADAMCO protested before the HOPE the BAC-Primary's decision denying its motion for reconsideration, which was subsequently decided by the HOPE on November 11, 2019 upholding that of the BAC-Primary as the records proved that ADAMCO commits misrepresentation in stating that it is compliant with the subject requirement when documents proved that it is not (refer to Annex "F", HOPE's letter to ADAMCO dated November 11, 2019);

**WHEREAS**, in the absence of any court restraining order, and in compliance with Section 57 Non-Interruption of the Bidding Process, of the 2016 Revised Implementing Rules and Regulations of R.A. 9184, the BAC-Primary instructed the TWG to proceed with the detailed evaluation of the 2<sup>nd</sup> LCB, Agri Component Corporation, to avoid any act delaying the awarding of contracts which is a penal offense under Rule XXI, Section 65 of the same IRR;


**WHEREAS**, on November 27, 2019, the TWG reported to the BAC that based on its detailed evaluation, Agri Component Corporation was found to have fully complied with the requirements of the bidding documents and was recommended for post-qualification (refer to Annex "G" copy of detailed evaluation);

**WHEREAS**, on December 3, 2019, the BAC-TWG conducted post-qualification evaluation of the 2<sup>nd</sup> LCB and based on the report which was presented to the BAC-Primary on December 6, 2019, the 2<sup>nd</sup> LCB is found responsive to all the requirements of the bidding documents (refer to Annex "I" Post-qualification Evaluation Report);

**WHEREFORE**, premises considered, the BAC-Primary resolved to recommend to the Head of the Procuring Entity (HoPE) the award of contract for Lot 1 described above to **Agri Component Corporation** being the 2<sup>nd</sup> Lowest Calculated and Responsive Bidder (LCRB) in the total amount of **Philippine Pesos Twenty Three Million Ninety Thousand Two Hundred Fifty only (Php 23,090,250.00)** inclusive of all applicable taxes.


Done this 6<sup>th</sup> day of December, 2019 at the DAR Central Office, Diliman, Quezon City.

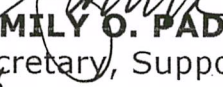
  
**NESTOR C. BAYONETO**  
Director, MISS  
Provisional Member  
BAC-Primary, for Goods


  
**PRIMO C. LARA**  
Director, Administrative Service  
Regular Member, BAC-Primary

  
**ATTY. ESTRELITA BRIONES**  
Assistant Director, BALA  
Regular Member, BAC-Primary

**SUSANA E. LEONES**  
Director, BARBD  
Regular Member, BAC-Primary

  
**ATTY. ROLAND C. MANALAYSAY**  
Executive Director, DARAB Secretariat  
Vice-Chair, BAC- Primary

  
**ATTY. EMILY O. PADILLA**  
Undersecretary, Support Services  
End-User

  
**ATTY. JIM G. COLETO**  
Board Member, DARAB  
Chairperson, BAC-Primary

**Approved by:**  
  
**ATTY. LUIS MEINRADO C. PANGULAYAN**  
Undersecretary  
Head of the Procuring Entity