



**BIDS AND AWARDS COMMITTEE – PRIMARY  
BAC Resolution No. 07, Series of 2021**

**RESOLUTION RECOMMENDING FAILURE OF BIDDING FOR THE  
PROCUREMENT OF SECURITY SERVICES FOR THE DAR CENTRAL OFFICE  
FOR CY 2021 (Under PBD-20-08)**

**WHEREAS**, on December 22, 2020, the Department of Agrarian Reform (DAR), under the proposed General Appropriations Act (GAA) for 2021, posted an Invitation to Bid at the PhilGEPS and DAR websites, for the procurement of Security Services for the DAR Central Office for CY 2021 for eleven (11) months, with an Approved Budget for the Contract (ABC) in the amount of **Philippine Pesos Twenty-Three Million Nine Hundred Twenty Thousand Nine Hundred Thirty-Eight and Thirty-Seven Centavos only (Php23,920,938.37)** (refer to Annex "A" for the Invitation to Bid with Reference Number 7380631);

**WHEREAS**, on January 5, 2021, there were six (6) prospective bidders who attended the online pre-bid conference via Microsoft Teams, namely: 1) Top Watch Security and Investigation Services, Inc., 2) Agilex Security Agency, Inc., 3) Militant Security Services, 4) Priority Security Agency, Inc., 5) Odin Security Agency, 6) Social Justice Security and Investigation Agency; (refer to Annex "B" for the attendance);

**WHEREAS**, on January 13, 2021, Supplemental Bid Bulletin (SBB) No. 1 was posted at the PhilGEPS and DAR websites to officially make clarifications on the issues and queries that were raised by prospective bidders during the pre-bid conference and those that were sent through email, and thus, to supersede the previous issuances relative to the subject procurement (refer to Annex "C" for the SBB and PhilGEPS posting);

**WHEREAS**, on January 20, 2021, on the deadline and submission of bids, five (5) bidders submitted their bids, namely: 1) Top Watch Security and Investigation Services, Inc., 2) Global Security Solutions, Inc., 3) Priority Security Agency, Inc., 4) Agilex Security Agency, Inc., 5) Eagleone Security Services, Inc. (refer to Annex "D" for the bidders' attendance sheet);

**WHEREAS**, on January 20, 2021, during the opening of bids, it was recorded in the Abstract of Bids as Read, that only one (1) bidder, Agilex Security Agency, Inc. (Agilex), passed the eligibility requirements and was declared as the Single Calculated Bid (SCB), while the other four (4) bidders failed to submit all the required documents, and were therefore, declared disqualified (refer to Annex "E" for the Abstract of Bids as Read);

**WHEREAS**, on January 22, 2021, the BAC received Motions for Reconsideration (MR) from Priority Security Agency, Inc. (Priority), and Eagleone Security Services, Inc. (Eagleone) (refer to Annex "F" for the MRs);

**WHEREAS**, on January 25, 2021, Eagleone acknowledged the BAC's denial on the MR dated January 22, 2021 (refer to Annex "G" for the BAC's denial letter);

**WHEREAS**, on January 30, 2021, Priority acknowledged the BAC's denial on the MR dated January 22, 2021 via email (refer to Annex "H" for the BAC's denial and Annex "H-1" for Priority's email);

**WHEREAS**, on February 2, 2021, the BAC-Technical Working Group (BAC-TWG) convened to conduct a detailed bid evaluation of the bids submitted by the SCB, Agilex;

**WHEREAS**, on February 3, 2021, the BAC-TWG presented the results of the detailed evaluation to the BAC, and based on the results and recommendation by the BAC-TWG, the BAC instructed them to proceed with post-qualification (refer to Annex "I" for the Detailed Bid Evaluation Report);

**WHEREAS**, on February 9, 2021, the BAC-TWG conducted the post-qualification to validate and ascertain the veracity of the documents that were submitted by Agilex, and to evaluate the post-qualification documents and other requirements to support their compliance to the technical specifications;

**WHEREAS**, on February 11, 2021, the BAC-TWG presented the results of the post-qualification evaluation to the BAC, and based on the overall findings and recommendations of the BAC-TWG, Agilex failed to submit the other requirements to support compliance to the technical specifications and was therefore, declared as post-disqualified. On the same date, the BAC issued a notice of post-disqualification to Agilex via email, the original copy of which was acknowledged by their staff on February 11, 2021 (refer to Annex "J" for the Post-Qualification Evaluation Report, Annex "J-1" for the Notice of Post-Disqualification with email transmittal and Annex "J-2" for the Notice of Post-Disqualification with Agilex's acknowledgment);

**WHEREAS**, on February 15, 2021, the BAC, through the Procurement Division/BAC Secretariat received a Motion for Reconsideration from Agilex (refer to Annex "K" for the MR);

**WHEREAS**, on February 18, 2021, the BAC convened to deliberate on the MR of Agilex, and based on the facts presented in the said MR, the same was denied for lack of merit as stated in the BAC's letter dated February 18, 2021;

**WHEREAS**, on February 19, 2021, Agilex acknowledged receipt of the BAC's denial letter (refer to Annex "L" for the BAC's letter);

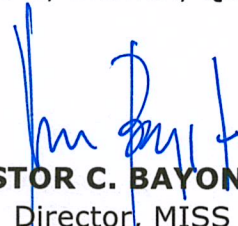
**WHEREAS**, on March 1, 2021, the BAC, upon confirmation by the BAC Secretariat that Agilex did not file any protest on or before February 26, 2021 which was the last day within which they could submit their verified position paper with the Head of the Procuring Entity (HOPE) and the corresponding protest fee, declared a failure of bidding for the said procurement activity and for the conduct of rebidding of the same;

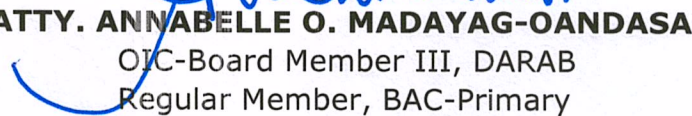
**WHEREFORE**, premises considered, the BAC-Primary, in its meeting on March 1, 2021, resolved to recommend to the Head of the Procuring Entity (HOPE), the following:

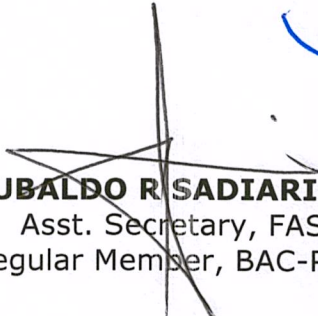
1. To declare a failure of bidding for the procurement of Security Services for the DAR central Office for CY 2021 (for eleven months) under PBD-20-08; and
2. To conduct a rebid upon review of the bidding documents and/or other requirements necessary.


**DONE** this 1<sup>st</sup> day of March 2021 at the DAR Central Office, Diliman, Quezon City.

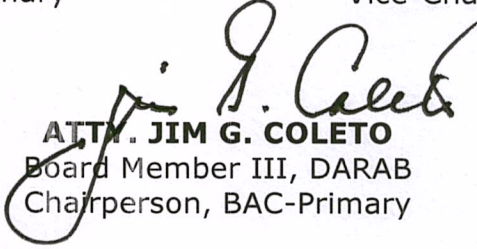
  
**CUPIDO GERRY D. ASUNCION**  
Director, Administrative Service  
End-User Representative

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

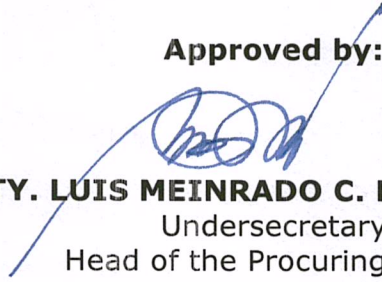
  
**ATTY. ANNABELLE O. MADAYAG-OANDASAN**  
OIC-Board Member III, DARAB  
Regular Member, BAC-Primary

  
**UBALDO R. SADIARIN, JR.**  
Asst. Secretary, FASPO  
Regular Member, BAC-Primary

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

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

**Approved by:**

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