



Bids and Awards Committee-Primary

BAC Resolution No. 08 Series of 2021

**RESOLUTION RECOMMENDING FAILURE OF BIDDING FOR THE
PROCUREMENT OF LEASE AGREEMENT FOR 55 UNITS BRAND NEW
PHOTOCOPIERS FOR THE DAR CENTRAL OFFICE FOR CY 2021
(Under PBD-20-09)**

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 Lease Agreement for 55 units brand new photocopiers 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 Four Million Two Hundred Sixty-Two Thousand Five Hundred Only (PhP4,262,500.00)** (refer to Annex "A" for the Invitation to Bid with Reference Number 7380748);

WHEREAS, on January 5, 2021, there were five (5) prospective bidders who attended the online pre-bid conference via Microsoft Teams, namely: 1) UBIX Corporation, 2) Photopro Trading, 3) Quartz Business Products Corporation, 4) OTUS Copy Systems Corporation; and 5) E-Copy Corporation (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 some amendments on the technical specifications to supersede the original issuance 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, two (2) bidders submitted their bids, namely: 1) Quartz Business Products Corporation; and 2) Ubox Corporation and both were declared eligible by the Primary Bids and Awards Committee with Ubox Corporation as the Lowest Calculated Bidder (LCB) and Quartz Business Products Corporation as the second LCB (refer to Annex "D" for the Abstract of Bids as Read);

WHEREAS, on February 02, 2021, the BAC-Technical Working Group (BAC-TWG) convened to conduct a detailed bid evaluation of the bids submitted by the LCB;

WHEREAS, on February 03, 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 "E" for the Detailed Bid Evaluation Report);

WHEREAS, on February 10, 2021, the BAC-TWG conducted the post-qualification to validate and ascertain the veracity of the documents that were submitted by Ubix Corporation, evaluate the post-qualification documents and inspect the actual sample of the unit offered 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, Ubix Corporation failed to present the actual sample of the copier offered 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 Ubix Corporation via email, the original copy of which was acknowledged by their staff on February 19, 2021 (refer to Annex "F" for the Post-Qualification Evaluation Report, Annex "F-1" for the Notice of Post-Disqualification);

WHEREAS, on February 15, 2021, the BAC, through the Procurement Division/BAC Secretariat received a Motion for Reconsideration from Ubix Corporation which was later denied by the PBAC in its meeting on February 18, 2021 for lack of merit (refer to Annex "G" for the MR);

WHEREAS, in the absence of a protest on the denial of Ubix Corporation's MR, the PBAC instructed the BAC-TWG to conduct the detailed evaluation of the 2nd LCB and if found in order, to notify the 2nd LCB about the conduct of post-qualification (refer to Annex "H" for the notice of post-qualification to the 2nd LCB);

WHEREAS, on March 05, 2021, the BAC-TWG conducted the post-qualification evaluation of the 2nd LCB and recommended to the PBAC its post-disqualification for failure to submit the required post-qualification documents within the non-extendible period of five (5) calendar days from receipt of notice (refer to Annex "I" for the Post-qualification Evaluation Result and Annex "I-1" for the notice of post-disqualification);

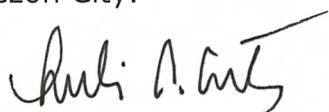
WHEREAS, on March 12, 2021, the 2nd LCB filed a motion for reconsideration which was later denied by the PBAC for lack of merit (refer to Annex "J" for a copy of the MR and Annex "J-1" for the PBAC's denial);

WHEREAS, on March 23, 2021, it was reported by the Secretariat that there is no protest received;

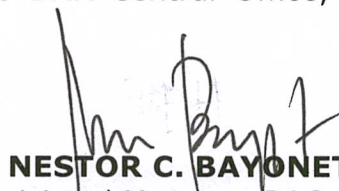
WHEREFORE, premises considered, the BAC-Primary, in its meeting on March 31, 2021, resolved to recommend to the Head of the Procuring Entity (HOPE), the following:

1. To declare a failure of bidding for the procurement of Lease Agreement for 55 units brand new photocopiers for the DAR Central Office for CY 2021 (for eleven months) under PBD-20-09; and
2. To conduct a rebid upon review of the bidding documents and/or other requirements necessary.

Done this 31st day of March 2021 at the DAR Central Office, Diliman, Quezon City.



LAILANI A. CORTEZ
Chief, General Services Division
End-User Representative



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

On Official Business

CUPIDO GERRY D. ASUNCION
Director, Admin. Service
Regular Member, BAC-Primary

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

On Official Business

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

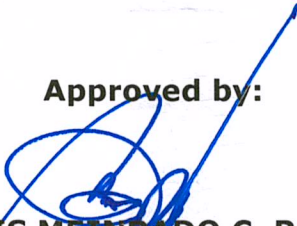


ATTY. ROLAND C. MANALAYSAY
Executive Director, DARAB Secretariat
Vice-Chair, BAC-Primary



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

Approved by:



ATTY. LUIS MEINRADO C. PAÑGULAYAN
Undersecretary, Legal Affairs Office
Head of the Procuring Entity