



Republic of the Philippines  
Department of Health

## CENTRAL OFFICE BIDS AND AWARDS COMMITTEE

COBAC RESOLUTION NO. 2020-429

21 December 2020

### DECLARATION OF FAILURE OF BIDDING FOR ITEM NOS. 3, 4, 5, 7, AND 8, AND RECOMMENDING APPROVAL FOR THE AWARD OF CONTRACT FOR ITEM NOS. 1, 2, 9, 10, AND 11 FOR THE PROCUREMENT OF VARIOUS MEDICAL SUPPLIES IB No. 2020-246

**WHEREAS**, Open Competitive Bidding for the Procurement of Various Medical Supplies was conducted in accordance with Republic Act (RA) 9184 and its 2016 Implementing Rules and Regulations (IRR) through the General Appropriations Act of 2020 with a Total Approved Budget for the Contract (ABC) of Four Million Two Hundred Thirty-Six Thousand Eight Hundred Philippine Pesos (PhP4,236,800.00):

Item No.	Description	Qty.	Unit	Total ABC (PhP)
1	Alcohol	2,000	Gallon	1,300,000.00
2	Alcohol (500ml)	5,000	Bottle	460,000.00
3	Gloves	5,800	Box	991,800.00
4	Clean Gloves	500	Box	75,000.00
5	Triangular Bandage	6,000	Piece	600,000.00
6	Elastic Bandage	5,000	Roll	175,000.00
7	Gauze Bandage (2x6)	5,000	Roll	45,000.00
8	Gauze Bandage (4x6)	5,000	Roll	65,000.00
9	Cotton (12 grams)	5,000	Roll	50,000.00
10	Cotton (50 grams)	5,000	Roll	75,000.00
11	Bandage Scissor	5,000	Piece	400,000.00
<b>TOTAL</b>				<b>4,236,800.00</b>

**WHEREAS**, on 01 October 2020, the Pre-procurement conference took place as scheduled at 1:00 P.M. at the COBAC Conference Room, Department of Health (DOH) to determine the readiness of the procurement at hand. Upon review, the COBAC-C instructed the Secretariat in-Charge to proceed with the procurement process;

**WHEREAS**, on 05 October 2020, the Invitation to Bid was posted in the PhilGEPS and DOH websites and in conspicuous places within the premises of the DOH for a continuous period of seven (7) calendar days;

**WHEREAS**, on 14 October 2020, the Pre-Bidding Conference took place as scheduled at 10:00 A.M. at the COBAC Conference Room, DOH and two (2) prospective bidders attended the cited conference, through video conference namely, Surgicom Trading Corporation (STC) and Wena Trading (WT);

**WHEREAS**, on the same date, the Minutes of the Pre-Bidding Conference was posted in the DOH website;

**WHEREAS**, 22 October 2020, a memorandum was issued to HEMB requesting for the submission of revised PR and relative to the issues raised during the Pre-Bidding Conference particularly for Item Nos. 6 and 11;

**WHEREAS**, Bid Bulletin No. 1 dated 26 October 2020 was issued to announce the postponement until further notice of the Submission and Opening of Bids slated on 28 October 2020.

**WHEREAS**, several follow ups were made for the submission of the revised Purchase Request (PR);

**WHEREAS**, on 28 October 2020, revised PRs for Item Nos. 6 and 11 were received from HEMB;

**WHEREAS**, Bid Bulletin No. 2 dated 04 November 2020 was issued to announce the new schedule of the Submission and Opening of Bids, to amend or modify the posted bidding document and to clarify issues raised during the Pre-Bidding Conference;

**WHEREAS**, on 11 November 2020, the Submission and Opening of Bids took place as scheduled at 9:00 A.M. at the COBAC Conference Room, DOH. Two (2) prospective bidders purchased the bidding documents, submitted their respective proposals, namely, STC and Endure Medicals, Inc. (EMI);

**WHEREAS**, the Technical Working Group (TWG) was created through the issuance of Department Personnel Order COBAC No. 2020 – 313 dated 16 November 2020;

**WHEREAS**, the first envelopes, containing the Eligibility and Technical Documents, were opened and the presence, completeness and correctness of all the documents were verified by the COBAC-C in the presence of the bidder's representatives. Upon checking, the two (2) bidders namely, STC and EMI were declared "ELIGIBLE";

**WHEREAS**, the second envelopes, containing the Financial Proposal, were opened and the presence, completeness and correctness of all the documents were checked and verified by the COBAC-C in the presence of the bidder's representatives. Upon examination, the eligible bidders were also rated "PASSED", however the bid of EMI for Item No. 3 was automatically disqualified pursuant to Section 31 of the 2016 Revised Implementing Rules and Regulation (IRR) of Republic Act (RA) 9184, "the Total Approved Budget for the Contract (ABC) shall be the upper limit or ceiling for acceptable bid prices. If a bid price, as evaluated and calculated in accordance with this IRR, is higher than the ABC, the bidder submitting the same shall be automatically disqualified, subsequently their proposals were read out publicly and posted in the Abstract of Bids, to wit:

Name of Company					STC		EMI	
Bid Security					BID SECURING DECLARATION	BID SECURING DECLARATION	BID SECURING DECLARATION	
Amount					N/A	N/A	N/A	
Bid Validity					120 CALENDAR DAYS	120 CALENDAR DAYS	120 CALENDAR DAYS	
Remarks					ELIGIBLE AND PASSED	ELIGIBLE AND PASSED	ELIGIBLE & AND PASSED EXCEPT ITEM NO. 3 (> ABC)	
ITEM NO.	ITEM DESCRIPTION	QUANTITY	UNIT	TOTAL ABC (PHP)	BID PRICE AS READ (PHP)			
1	Alcohol	2,000	Gallon	1,300,000.00	1,280,000.00	No bid	No bid	
2	Alcohol (500ml)	5,000	Bottle	460,000.00	450,000.00	No bid	No bid	
3	Gloves	5,800	Box	991,800.00	No bid	4,176,000.00	No bid	
4	Clean Gloves	500	Box	75,000.00	No bid	No bid	No bid	
5	Triangular Bandage	6,000	Piece	600,000.00	No bid	No bid	No bid	
6	Elastic Bandage	5,000	Roll	175,000.00	No bid	58,450.00	No bid	
7	Gauze Bandage (2x6)	5,000	Roll	45,000.00	No bid	No bid	No bid	
8	Gauze Bandage (4x6)	5,000	Roll	65,000.00	No bid	No bid	No bid	
9	Cotton (12 grams)	5,000	Roll	50,000.00	46,000.00	No bid	No bid	
10	Cotton (50 grams)	5,000	Roll	75,000.00	70,000.00	No bid	No bid	
11	Bandage Scissor	5,000	Piece	400,000.00	395,000.00	No bid	No bid	
<b>TOTAL</b>				<b>4,236,800.00</b>	<b>2,241,000.00</b>	<b>4,234,450.00</b>		

**WHEREAS**, no bid was received for Item Nos. 4, 5, 7 and 8. Therefore, the COBAC-C declared failure of bidding for the above cited items pursuant to Section 35.1 (a) of the 2016 IRR of RA 9184;

**WHEREAS**, the COBAC-C also declared failure of bidding for Item No. 3 since the only offer which is from EMI is above the ABC;

**WHEREAS**, STC was declared as single bidder as read for Item Nos. 1,2, 9, 10, and 11 subject to further arithmetical review and correction of the financial bid, if necessary, and post-qualification;

**WHEREAS**, EMI was declared as single bidder as read for Item No 6 subject to further arithmetical review and correction of the financial bid, if necessary, and post-qualification;

**WHEREAS**, on the same date, the evaluation of the financial proposals of STC and EMI were undertaken by the designated TWG - Financial Evaluator and subsequently submitted the Abstract of Bids as Calculated to wit:

- Item No. 1 – Alcohol
- Item No. 2 – Alcohol (500ml)
- Item No. 9 – Cotton (12 grams)
- Item No. 10 – Cotton (50 grams)
- Item No. 11 – Bandage Scissors

Bidder's Rank	Name of Company	Item No.	Total ABC (Php)	Bid as Calculated Amount (Php)	% Variance from ABC
Single Calculated Bid (SCB)	STC	1	1,300,000.00	1,280,000.00	1.53%
		2	460,000.00	450,000.00	2.17%
		9	50,000.00	46,000.00	8.00%
		10	75,000.00	70,000.00	6.66%
		11	400,000.00	395,000.00	1.25%

Item No. 6 – Elastic Bandage

Bidder's Rank	Name of Company	Item No.	Total ABC (Php)	Bid as Calculated Amount (Php)	% Variance from ABC
SCB	EMI	6	175,000.00	58,450.00	66.60%

**WHEREAS**, on 24 November 2020, the Abstract of Bids as Calculated was presented to the COBAC-C during its 6<sup>th</sup> Regular Meeting. Upon review, the Committee decided to proceed with the Post-qualification of the SCB, namely, STC particularly for Item Nos. 1, 2, 9, 10 and 11;

**WHEREAS**, on 26 November 2020, the COBAC-C issued a letter through electronic mail (e-mail) to STC requesting for the submission of the post-qualification requirements within a non-extendible period of five (5) calendar days upon receipt of the notification;

**WHEREAS**, on 01 December 2020, STC submitted its Post-qualification requirements within the prescribed period;

**WHEREAS**, on 02 December 2020, the detailed evaluation of the eligibility, technical requirements and post-qualification documents of the SCB were undertaken by the designated TWG to verify, validate and ascertain the documents submitted by the SCB;

**WHEREAS**, on 04 December 2020, the COBAC-C requested the Head of the Procuring Entity (HoPE) through its Undersecretary of Health of Public Health Services Team for the extension of the post-qualification evaluation in accordance with Section 34.8 of 2016 Revised IRR of RA 9184 and was subsequently approved;

**WHEREAS**, on 06 December 2020, the TWG-Legal submitted its report requesting for clarification on the submission of Mayor's Permit/Business permit and its Official Receipt/s as proof of payment for the said permit and the Tax Clearance Certificate and submitted its report;

**WHEREAS**, on 09 December 2020, the TWG- Financial and Technical submitted their report and found STC “Responsive”;

**WHEREAS** on 10 December 2020, the above cited TWG Reports were presented during the 8<sup>th</sup> Regular Meeting. Upon review and deliberation, the Committee decided to clarify the TWG-Legal Findings to STC;

**WHEREAS**, on 11 December 2020, the COBAC-C issued letter to STC through electronic mail on the above cited request for clarification;

**WHEREAS**, on 16 December 2020, the COBAC-C received the response of STC and was subsequently forwarded to TWG-Legal for evaluation;

**WHEREAS**, on the same date, the TWG-Legal submitted its report on the response of STC and found STC “Responsive”;

**WHEREAS**, on 17 December 2020, the cited reports were presented to the COBAC-C during its 9<sup>th</sup> Regular Meeting. Upon review and deliberation, the Committee concurred with the TWG recommendation and declared STC “Post-qualified”;

**WHEREAS**, on 21 December 2020, the TWG submitted the final Bid Evaluation and Post-Qualification Reports (BEPQR) citing STC “Responsive” to all the requirements and conditions specified in the bidding documents;

Item Nos.	Description	Name of Bidder	Bidder's Rank	ABC (PhP)	Total Bid Price (PhP)	TWG		COBAC	
						Finding	Recommendation	Finding	Recommendation
1	Alcohol	STC	SCB	4,236,800.00	2,241,000.00	The SCB passed the post qualification and found to have complied with the legal, technical and financial requirements.	Responsive	■ The COBAC conforms with the recommendation of the TWG.  ■ STC is determined to be responsive and have complied to all the requirements and conditions as specified in the Philippine Bidding Documents and recommended for the award of contract.	Single Calculated and Responsive Bid (SCRB) for Item Nos. 1,2,9,10,11
2	Alcohol (500ml)								
9	Cotton (12 grams)								
10	Cotton (50 grams)								
11	Bandage Scissor								

**WHEREAS**, at the time of the signing of this resolution, there is no pending incident, no pending Request for Reconsideration, no pending Protest and the COBAC-C followed the requirements set forth in RA 9184;

**NOW THEREFORE**, in consideration of the above premises, the herein members of the COBAC-C **HEREBY RESOLVES** the following:

1. Declare failure of bidding for the items listed below, with a total ABC of One Million Seven Hundred Seventy-Six Thousand Eight Hundred Philippine Pesos (1,776,800.00):

Item No.	Description	Qty.	Unit	Total ABC (PhP)
3	Gloves	5,800	Box	991,800.00
4	Clean Gloves	500	Box	75,000.00
5	Triangular Bandage	6,000	Piece	600,000.00
7	Gauze Bandage (2x6)	5,000	Roll	45,000.00
8	Gauze Bandage (4x6)	5,000	Roll	65,000.00
TOTAL				1,776,800.00

2. Mandate the HEMB and DPCB, to review the technical specifications, conduct market study, if necessary, adjust the ABC subject to the required approvals as prescribed in Section 35.3 of the 2016 IRR of RA 9184 and procure the said items in CY 2021 if still needed, subject to the availability appropriate funds for the purpose;

3. Recommend the award of contract to **Surgicom Trading Corporation** determined as the Single Calculated and Responsive Bid with a Total Contract Price of Two Million Two Hundred Forty-One Thousand Philippine Pesos (PhP2,241,000.00) inclusive of other taxes for the items listed below:

Item No.	Description	Qty.	Unit	Total Bid Price (PhP)
1	Alcohol	2,000	Gallon	1,280,000.00
2	Alcohol (500ml)	5,000	Bottle	450,000.00
9	Cotton (12 grams)	5,000	Roll	46,000.00
10	Cotton (50 grams)	5,000	Roll	70,000.00
11	Bandage Scissor	5,000	Piece	395,000.00
TOTAL				2,241,000.00

4. Issue another resolution for the item listed below upon receipt of TWG report:

Item No.	Description	Qty.	Unit	Total ABC (PhP)
6	Elastic Bandage	5,000	Roll	175,000.00

Signed this **DEC 22 2020** day of \_\_\_\_\_ 2020 at the Department of Health, San Lazaro Compound, Sta. Cruz, Manila.

**CENTRAL OFFICE BIDS AND AWARDS COMMITTEE (COBAC) – C**

**DAVID F. MASIADO JR., ME, MM**  
Regular Member

**GLORIA J. BALBOA, MD, MHA, MPH, CEO VI, CESO III**  
Regular Member

**FAITH F. ALBERTO, MD**  
Regular Member

**ANGELINA A. DEL MUNDO, MA, CESO III**  
Vice-Chairperson

**ROBERTO A. ONG MD**  
Assistant Secretary of Health  
Chairperson

By Authority of the Secretary of Health:

**LEOPOLDO J. VEGA, MD, FPCS, FPATACSI, MBA-H**  
Undersecretary of Health  
Office of the Chief of Staff

**MAR 22 2021**