



Republic of the Philippines
Department of Health
CENTRAL OFFICE BIDS AND AWARDS COMMITTEE

COBAC RESOLUTION NO. 2021-051
25 JANUARY 2021

**DECLARATION OF FAILURE OF BIDDING FOR THE RENTAL OF TRUNKED
RADIO COMMUNICATION SYSTEM (PORTABLE, MOBILE, AND BASE RADIOS)**
IB NO. 2021-002

WHEREAS, a Competitive Bidding for the Rental of Trunked Radio Communication System (Portable, Mobile, and Base Radios) was conducted in accordance with the Republic Act (RA) 9184 and its 2016 Revised Implementing Rules and Regulations (IRR) through the General Appropriations Act of 2021 with a Total Approved Budget for the Contract (ABC) of Four Million Two Hundred Sixty-Six Thousand Philippine Pesos (PhP4,266,000.00):

Lot No.	Particular	Quantity	Unit	TOTAL ABC (PhP)
1	Rental of Trunked Radio Communication System (Portable, Mobile, and Base Radios)	1	Lot	4,266,000.00

WHEREAS, 12 October 2020, Terms of Reference (TOR) and Purchase Request (PR) were received from Health Emergency Management Bureau (HEMB);

WHEREAS, on 14 October 2020, the Pre-Procurement Conference was conducted by the Central Office Bids and Awards Committee (COBAC)-B at 11:00 A.M. at the COBAC Conference Room, Department of Health (DOH) to discuss the details and determine the readiness of the procurement at hand. The HEMB informed the Committee that there were some changes in the PR/TOR. Upon review the Committee recommended to proceed with the procurement process upon receipt of the revised PR/TOR;

WHEREAS, on 28 October 2020, HEMB submitted the revised TOR;

WHEREAS, this procurement was processed as part of Early Procurement Activities pursuant to Section 7.6 of RA 9184 and the updated revised IRR;

WHEREAS, on 03 November 2020, the Invitation to Bid (IB) was posted in the DOH website and in conspicuous places within the premises of the DOH for a continuous period of seven (7) calendar days;

WHEREAS, on 04 November 2020, the IB was posted in the PhilGEPS website for a continuous period of seven (7) calendar days;

WHEREAS, on 11 November 2020, a Pre-Bidding Conference took place as scheduled at 10:00 AM, at the COBAC Conference Room, DOH, with one (1) prospective bidder attending, namely, Contel Communications, Inc. (CCI);

WHEREAS, on 13 November 2020, Minutes of Meeting of the Pre-Bidding Conference was posted in the DOH website;

WHEREAS, Bid Bulletin No. 1, dated 24 November 2020, was issued to announce the new schedule of activities and to amend or modify the posted bidding documents;

WHEREAS, on 25 November 2020, HEMB submitted the advance copy of the revised TOR through electronic mail (email);

WHEREAS, Bid Bulletin No. 2, dated 26 November 2020, was issued to announce the new schedule of activities, to amend or modify the posted bidding documents;

WHEREAS, on 27 November 2020, HEMB submitted the revised TOR;

WHEREAS, on 10 December 2020, the Submission and Opening of Bids took place as re-scheduled at 9:00 A.M. at the COBAC Conference Room, DOH. One (1) prospective bidder procured the bidding document and submitted its bid proposal within the set deadline, namely, CCI;

WHEREAS, the first envelope, containing the Eligibility and Technical Documents was opened and the presence, completeness, and correctness of all the documents were verified by the COBAC-B in the presence of the prospective bidder's representative. Upon examination, CCI was declared "ELIGIBLE";

WHEREAS, the second envelope, containing the Financial Proposal was opened and the presence, completeness, and correctness of the document were verified by the COBAC-B. Upon examination, the lone "ELIGIBLE" bidder was also rated "PASSED" and subsequently its proposal was read out publicly and posted in the Abstract of Bids, to wit:

Name of Company					CCI
Bid Security					Bid Securing Declaration
Amount					N/A
Validity					120 CALENDAR DAYS
REMARKS					ELIGIBLE/ PASSED
Lot No.	Item Description	QTY	UNIT	TOTAL ABC	BID PRICE AS READ (PHP)
1	Rental of Trunked Radio Communication System (Portable, Mobile and Base Radios)	1	Lot	4,266,000.00	3,946,920.00

WHEREAS, the CCI was declared as the Single Bidder as read subject to further arithmetical review and corrections of the financial bid, if necessary and post-qualification;

WHEREAS, on the same date, the evaluation of the financial proposal of CCI was undertaken by the designated TWG - Financial Evaluator and subsequently submitted the Abstract of Bids as Calculated, to wit:

Lot No. 1 – Rental of Trunked Radio Communication System (Portable, Mobile and Base Radios)

Bidder's Rank	Name of Company	ABC (PhP)	Bid as Calculated Amount (PhP)	% Variance from ABC
Single Calculated Bid (SCB)	CCI	4,266,000.00	3,946,920.00	7.47%

WHEREAS, on 16 December 2020, the Abstract of Bids as Calculated was presented to COBAC-B. Upon review, the Committee decided to proceed with the Post-qualification of SCB, namely, CCI;

WHEREAS, on 17 December 2020, the COBAC-B issued a letter through e-mail to CCI 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 18 December 2020, upon evaluation, the TWG-Technical found CCI “responsive” and submitted its report;

WHEREAS, on 21 December 2020, CCI submitted its Post-qualification requirements within the prescribed period;

WHEREAS, on 22 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 the same date, upon evaluation, the TWG-Legal and Financial found the following findings and submitted its report:

PARTICULAR	FINDINGS
Latest Business Tax Return filed thru Electronic Filing and Payment System (EFPS) duly validated with the tax payments made thereon also refers to the Value Added Tax (VAT) or Percentage Tax Returns covering the previous <i>six (6) months</i> (per Revenue Regulations 3-2005)	Clarify the July to October 2020 VAT Return Tax Payment Made.
Omnibus Sworn Statement	Lacking Item No. 10 statement as provided for in the revised Omnibus Sworn Statement under GPPB Resolution No. 16-2020. Non-inclusion of the mandatory provisions in any of the Required forms shall be a ground for disqualification pursuant to Section 6.4 of the cited GPPB Resolution.

WHEREAS, on the same date, the COBAC-B during its 10th Regular Meeting, upon review and deliberation, resolved to concur with the recommendation of the TWG and decided to declare the bid of CCI “post-disqualified”;

WHEREAS, on 29 December 2020, the COBAC-B issued the Notice of Post-disqualification through email to CCI;

WHEREAS, on 04 January 2021, CCI filed a Request for Reconsideration (RfR) within the prescribed timeline;

WHEREAS, on 07 January 2021, the COBAC-B issued a letter to CCI through email to acknowledge the receipt of their RfR;

WHEREAS, on 13 January 2021, the RfR was presented to COBAC-B during its 11th Regular Meeting. Upon review and deliberation, the Committee decided to deny the RfR of CCI pursuant to Instructions to Bidders Clause No. 3 of the bidding document and Section 26 of 2016 Revised IRR of RA 9184

WHEREAS, on 15 January 2021, the COBAC-B issued a letter to CCI through email denying their RfR;

WHEREAS, no protest was filed by CCI within the prescribed timeline;

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-B strictly observed the requirements set forth in R.A. 9184;

NOW THEREFORE, on the basis of the above, the herein members of the COBAC-B **HEREBY RESOLVE**, the following:

1. Declare a failure of bidding for the Rental of Trunked Radio Communication System (Portable, Mobile, and Base Radios) under IB No. 2021-002 with a Total Approved Budget for the Contract of Four Million Two Hundred Sixty-Six Thousand Philippine Pesos (PhP4,266,000.00):

Lot No.	Particular	Quantity	Unit	TOTAL ABC (PhP)
1	Rental of Trunked Radio Communication System (Portable, Mobile, and Base Radios)	1	Lot	4,266,000.00


2. Mandate the End-user, HEMB to conduct mandatory review and evaluation of the specification, and if necessary adjust the ABC subject to the required approvals as prescribed in Section 35.3 of the 2016 Revised IRR.

Signed this ____ day of ____ 2021 at the Department of Health, San Lazaro Compound, Sta. Cruz, Manila.

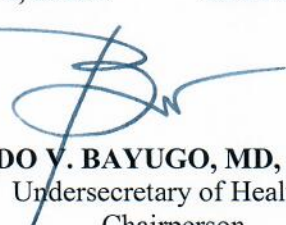
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