



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

COBAC RESOLUTION NO. 2020-394
11 November 2020

**RECOMMENDING APPROVAL OF THE AWARD OF CONTRACT FOR THE
PROCUREMENT OF 55" SMART LED TV,
IB NO. 2020-236**

WHEREAS, an Open Competitive Bidding for the Procurement of 55" Smart LED TV was conducted in accordance with Republic Act (RA) 9184 and its 2016 Revised Implementing Rules and Regulations (IRR) through the General Appropriations Act of 2020 with a Total Approved Budget for the Contract (ABC) of Nine Hundred Thousand Philippine Pesos (PhP900,000.00):

Item No.	Particular	Qty.	Unit	Total ABC (PhP)
1	55" Smart LED TV	20	Unit	900,000.00

WHEREAS, on 22 July 2020, the Pre-Procurement Conference took place as scheduled at 10:00 A.M. at the COBAC Conference Room, Department of Health (DOH), to discuss the details of the procurement at hand and to assess its readiness for procurement. The Central Office Bids and Awards Committee (COBAC)-B recommended the changes on the technical requirements based on the discussion during the cited conference;

WHEREAS, on 27 July 2020, the COBAC-B issued a memorandum through electronic mail (e-mail) to Knowledge Management Information Technology Service (KMITS) requesting for the submission of revised Purchase Request (PR) and Allocation List;

WHEREAS, 04 August 2020, the revised PR and allocation list was received from KMITS;

WHEREAS, on 13 August 2020, the Invitation to Bid (IB) was posted in PhilGEPS and DOH Websites and in conspicuous places within the premises of the DOH for a continuous period of seven (7) calendar days;

WHEREAS, Bid Bulletin No. 1 dated 18 August 2020 was issued to announce new schedule of activities, and to reflect the corresponding modifications/changes in the requirements:

WHEREAS, on 26 August 2020, a Pre-Bidding Conference took place as scheduled at 10:00 AM at COBAC Conference Room, DOH and through video conference, with three (3) prospective bidders attending, namely;

1. ProEvent (PE);
2. Avid Sales Corporation (ASC) and;
3. Stanley Bradley Trading, Inc. (SBTI) and;

WHEREAS, on the same date, the Technical Working Group (TWG) was created through the issuance of Department Personnel Order (DPO) COBAC No. 2020-284;

WHEREAS, on 28 August 2020, the Minutes of the Pre-Bidding Conference was posted in the DOH website;

WHEREAS, on 09 September 2020, the Submission and Opening of Bids took place as rescheduled at 9:00 AM, at the COBAC Conference Room, DOH. Three (3) prospective bidders that purchased the bidding document and subsequently submitted their respective proposal, namely, PE, ASC and SBTI;

WHEREAS, the first envelopes, containing the Eligibility and Technical Documents were individually opened and the presence, completeness and correctness of all the documents were individually verified by the COBAC-B in the presence of the prospective bidder's representative. Upon checking, PE, ASC and SBTI were declared "ELIGIBLE";

WHEREAS, the second envelopes containing the Financial Proposals were individually opened and the presence, completeness and correctness of the Financial Documents were verified by the COBAC-B in the presence of the bidder's representative. Upon examination, PE, ASC and SBTI were declared "ELIGIBLE" bidders and rated "PASSED" and subsequently their respective proposals were read out publicly and posted in the Abstract of Bid, to wit:

Name of Company					PE	ASC	SBTI
Bid Security					BSD	BSD	BSD
Bid Validity					120 calendar days	120 calendar days	120 calendar days
REMARKS					ELIGIBLE/ PASSED	ELIGIBLE/ PASSED	ELIGIBLE/ PASSED
ITEM NO.	Description	Qty	Unit	TOTAL ABC (PhP)	BID PRICE AS READ (PhP)		
1	55" Smart LED TV	20	Unit	900,000.00	848,000.00	478,000.00	720,000.00

WHEREAS, ASC was declared as the lowest calculated bidder as read subject to further arithmetical review and correction of the financial proposal, to determine the bona fide Lowest Calculated Bid (LCB);

WHEREAS, on the same date, the evaluation of the financial proposals of PE, ASC and SBTI were undertaken by the designated TWG-Financial Evaluator;

WHEREAS, on the same date, the TWG-Financial submitted the Abstract of Bids as Calculated, to wit:

Item No. 1 – 20 Units 55" Smart LED TV

Bidder's Rank	Name of Company	ABC (PhP)	Bid Price as Calculated (PhP)	% Variance from ABC
Lowest Calculated Bid (LCB)	PE	900,000.00	385,997.60	57.11%
2 nd LCB	ASC		478,000.00	46.88%
3 rd LCB	SBTI		720,000.00	20.00%

WHEREAS, the Abstract of Bids as Calculated was presented to the COBAC-B during its 34th Regular Meeting. Upon deliberation, the Committee decided to issue a conforme letter to the LCB namely, PE;

WHEREAS, on 17 September 2020, the COBAC-B issued a letter through email to PE, reiterating the discrepancy amounting to Four Hundred Sixty Two Thousand Philippine Pesos and Forty Centavos (PhP462,000.40) between the total Bid Price as read amounting to Eight Hundred

Forty Eight Thousand Philippine Pesos (PhP848,000.00) against the Bid Price as calculated which is Three Hundred Eighty Five Thousand Nine Hundred Ninety Seven Philippine Pesos and Sixty Centavos (PhP385,997.60);

WHEREAS, on 21 September 2020, a letter was received from PE acknowledging the Conforme Letter and expressed its intention to withdraw its Bid;

WHEREAS, on 23 September 2020, the letter was presented to the COBAC-B during 35th COBAC-B Regular Meeting. Upon deliberation, the Committee resolved to refer the withdrawal of bid of PE to the TWG-Legal and instructed to proceed with the 2nd LCB, namely, ASC;

WHEREAS, on 30 September 2020, the COBAC-B accepted the withdrawal of bid of PE;

WHEREAS, on 01 October 2020, the COBAC-B issued a letter through email to ASC, requesting for the submission of the Post-qualification requirements within a non-extendable period of five (5) calendar days upon receipt of the notification;

WHEREAS, on the same date ASC submitted its post-qualification requirements within the prescribed timeline and was subsequently forwarded to the TWG, for evaluation;

WHEREAS, the detailed evaluation of the eligibility, technical requirements and post-qualification documents of the 2nd LCB were undertaken by the designated TWG to verify, validate and ascertain the documents submitted by the 2nd LCB;

WHEREAS, on the TWG submitted its report requesting for the following:

REQUIREMENT	FINDINGS
Mayor's/Business permit issued by the city or municipality where the principal place of business of the prospective bidder is located, <i>or the equivalent document for Exclusive Economic Zones or Areas <u>together with corresponding copy of receipt(s) of payments of the said permit;</u></i> <i><u>In consideration of the limited access to financial institutions, regulatory and other offices, as well as the implementation of government restrictions on transport and travel, Acceptability of the recently expired Mayor's or Business permits and the Official Receipt as proof that the Bidder has applied and paid for the renewal of the permit : Provided that, the current and valid Mayor's or Business Permit as renewed, will be submitted by the bidder with the LCRB after the award.</u></i>	To submit the 3 rd quarter official receipts as proof of payment for the Mayor's/ Business permits
Articles of Incorporation and General Information Sheet (GIS), in case the Bidder has submitted a SEC registration as part of the Eligibility Documents, if applicable;	To submit the 2020 General Information Sheet (GIS)
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 six (6) months (per Revenue Regulations 3-2005);	To submit March to August 2020 VAT Return Tax Payments made.

REQUIREMENT	FINDINGS
<i>The latest income and business tax returns are those within the last six months preceding the date of bid submission</i>	

WHEREAS, the cited TWG report was presented to COBAC-B wherein the Committee concurred with the TWG requesting for the clarification on the above cited finding;

WHEREAS, on 12 October 2020, the COBAC-B issued a letter to ASC requesting for clarification on the above-cited findings;

WHEREAS, on the same date, the COBAC-B requested approval from the Head of the Procuring Entity (HoPE) to extend of Post-Qualification process pursuant to Section 34.8 of RA 9184 and its 2016 IRR, and was subsequently approved;

WHEREAS, on 14 October 2020, ASC submitted its response to the clarification which was subsequently forwarded to TWG, for evaluation;

WHEREAS, on the same date, the TWG-Financial found ASC “responsive” and submitted its report;

WHEREAS, 15 October 2020, the TWG-Legal found ASC “responsive” and submitted its report;

WHEREAS, on 21 October 2020, the TWG conducted product demonstration as part of the post-qualification;

WHEREAS, on 22 October 2020, the TWG-Technical, upon evaluation, found the bid of ASC “responsive” and submitted its report;

WHEREAS, on the same date, the TWG submitted the final Bid Evaluation and Post-Qualification Reports (BEPQR) citing the bid of the ASC, “responsive” to all the requirements and conditions specified in the bidding documents;

WHEREAS, on 09 November 2020, the COBAC-B issued a letter to PE that upon further evaluation, pursuant to Section 26.2 of the 2016 IRR of RA9184, and Government Procurement Policy Board (GPPB) NPM 085-2015, that their bid security is forfeited. Further, since PE’s bid security is in the form of BSD, PE was also informed that they are subject to blacklisting pursuant to Appendix 10 of the 2016 IRR of RA9184. PE was given five (5) calendar days to show cause why their company should not be suspended and blacklisted;

WHEREAS, the COBAC-B reviewed and deliberated the TWG report, as well as the documents and response submitted by the 2nd LCB and the following are the salient points of discussion

Lot No.	Description	Name of Bidder	Bidder's Rank	ABC (PhP)	Bid Price (PhP)	TWG		COBAC	
						Finding	Recommendation	Finding	Recommendation
1	55" Smart LED TV	ASC	2 nd LCB	900,000.00	478,000.00	The 2 nd LCB passed the post qualification and found to have complied with the legal, technical and financial requirements.	Responsive	<div> <div>COBAC conforms with the recommendation of the TWG.</div> <div>ASC 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.</div> </div>	Lowest Calculated and Responsive Bid (LCRB)

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 followed the requirements set forth in RA 9184;

NOW THEREFORE, on the basis of the above, the herein members of the COBAC-B **HEREBY RESOLVES** to recommend the award of contract **Avid Sales Corporation**, determined as the Lowest Calculated and Responsive Bid with a Total Contract Price of **Four Hundred Seventy Eight Thousand Philippine Pesos (PhP478,000.00)** inclusive of taxes for the item listed below:


Item No.	Particular	Qty.	Unit	Total Bid Price (PhP)
1	55" Smart LED TV	20	Unit	478,000.00

Signed this 16 day of NOV 2020 at the Department of Health, San Lazaro Compound, Sta. Cruz, Manila.


CENTRAL OFFICE BIDS AND AWARDS COMMITTEE (COBAC) - B


CHARITY L. TAN, MA
 Regular Member



ALLAN A. EVANGELISTA, MD, MCHM
 Regular Member


ARNEL Z. RIVERA, MD, FPAFP, MHA, IDHA
 Regular Member


ALELI ANNIE GRACE P. SUDIACAL, MD, MPH
 Vice-Chairperson


GERARDO V. BAYUGO, MD, MPH, CESO III
 Undersecretary of Health
 Chairperson

By Authority of the Secretary of Health:


ENRIQUE A. TAYA, MD, PHSAE, FPSMID, CESO III
 Director IV
 Knowledge Management Information and Technology Service

NOV 27 2020