



Republic of the Philippines
Professional Regulation Commission
Manila



BIDS AND AWARDS COMMITTEE
RESOLUTION NO. 88
Series of 2021

POST DISQUALIFICATION AND DECLARATION OF SECOND FAILURE OF BIDDING FOR THE SUPPLY, DELIVERY, INSTALLATION, TESTING AND COMMISSIONING OF VARIOUS AUDIO VIDEO (AV) SYSTEM FOR THE CONFERENCE ROOMS OF PRC MAIN BUILDING AND PICC OFFICE SITE AND AUDIO SYSTEM FOR PRC AUDITORIUM ANNEX BUILDING - REBID WITH AN APPROVED BUDGET FOR THE CONTRACT OF TWO MILLION SIX HUNDRED SEVENTY-SEVEN THOUSAND SEVEN HUNDRED FIFTEEN PESOS (PHP2,677,715.00)

WHEREAS, the Bids and Awards Committee (BAC) caused the posting of the invitation to apply for eligibility and to bid through Public Bidding in the Professional Regulation Commission (PRC) website, the Philippine Government Electronic Procurement System (PhilGEPS), and BAC Bulletin Board for the project: Supply, Delivery, Installation, Testing and Commissioning of Various Audio Video (AV) System for the Conference Rooms of PRC Main Building and PICC Office Site and Audio System for PRC Auditorium Annex Building - Rebid with an approved budget for the contract of Two Million Six Hundred Seventy-Seven Thousand Seven Hundred Fifteen Pesos (Php2,677,715.00).

WHEREAS, on December 2, 2021, a pre-procurement conference was held to discuss the terms of reference prepared and submitted by the end user for the abovementioned project before the finalization of the bidding documents.

WHEREAS, on December 13, 2021 a pre-bid conference via video conferencing was held to explain and clarify the bidding documents and to accommodate any inquiry which the bidders may have. This was attended by three (3) prospective bidders, The Brain Computer Corporation, Photo City and Microdata Systems and Management Inc. Only Photo City and Microdata Systems and Management Inc. purchased the Bidding Documents.

WHEREAS, Section 30, Rule IX of the 2016 Revised Implementing Rules and Regulations of Republic Act No. 9184, known as the Government Procurement Reform Act requires that the preliminary examination of the bids be conducted by merely checking for the presence or absence of documentary requirements using a non-discretionary "pass/fail" criterion. If a bidder submits the required document, it shall be rated "passed" for the particular requirement. In this regard, bids that fail to include any requirement or are incomplete or patently insufficient shall be considered as "failed".

WHEREAS, on December 27, 2021, during the submission and opening of bids, two bidders submitted their respective bids, namely Photo City and Microdata Systems and Management Inc. The BAC, using a non-discretionary "pass/fail" criterion, Microdata Systems and Management Inc. and Photo City passed the eligibility and technical evaluation with the following financial bid:

- 1 Microdata Systems and Management Inc. – Php2,658,000.00
2. Photo City – Php2,470,000.00

WHEREAS, Photo City was declared as Lowest Calculated Bidder and was subjected to post-qualification.

WHEREAS, during the post-qualification the BAC noted the following deficiencies on the submission and presentation of Photo City:

1. Failure to Present the manufacturer's un-amended sales literature, unconditional statements of specification and compliance issued by the manufacturer, samples, independent test data etc.,
2. Failure to comply with the Technical Specification required by the End User.

WHEREAS, on December 29, 2021, Photo City was declared post disqualified on the basis of the findings mentioned above.

WHEREAS, Section 35, Rule X of the IRR provides for the authority of the BAC to declare a failure of bidding in cases where the bidders fail to comply with all the bid requirements as prescribed, to wit:

Section 35. Failure of Bidding

35.1 The BAC shall declare the bidding a failure when:

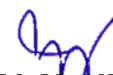
- a) No bids are received;
- b) All prospective bidders are declared ineligible;
- c) **All bids fail to comply with all the bid requirements** or post-qualification, or x x x x (Emphasis supplied)

WHEREAS, in view of the foregoing considerations, the **BIDS AND AWARDS COMMITTEE RESOLVES**, as it is hereby **RESOLVED**, to **DECLARE PHOTO CITY POST DISQUALIFIED, AND THE SECOND FAILURE OF BIDDING FOR THE PROJECT SUPPLY, DELIVERY, INSTALLATION, TESTING AND COMMISSIONING OF VARIOUS AUDIO VIDEO (AV) SYSTEM FOR THE CONFERENCE ROOMS OF PRC MAIN BUILDING AND PICC OFFICE SITE AND AUDIO SYSTEM FOR PRC AUDITORIUM ANNEX BUILDING - REBID.**

Done in the City of Manila, Philippines, this December 29, 2021.

BIDS AND AWARDS COMMITTEE


JOSE Y. CUETO, JR.
Chairman


MARIA LIZA M. HERNANDEZ
Vice-Chairperson


WILMA T. UNANA
Member


HENRIETTA P. NARVAEZ
Member


TEODORO V. MENDOZA II
Alternate Member


CRISANTO L. DECENA
Provisional Member, Non-IT Projects