



Republic of the Philippines  
Professional Regulation Commission  
Manila



**BIDS AND AWARDS COMMITTEE**  
**RESOLUTION NO. 59**  
Series of 2020

**DECLARATION OF FAILURE OF BIDDING FOR THE SUPPLY AND DELIVERY OF  
VARIOUS IT EQUIPMENT: LOT 4 – FORTY-SEVEN (47) UNITS OF NETWORK  
SWITCH WITH A TOTAL APPROVED BUDGET FOR THE CONTRACT OF SIX  
HUNDRED FIFTY-FOUR THOUSAND SIX HUNDRED EIGHTY-FOUR PESOS AND  
THIRTY-THREE CENTAVOS (PHP654,684.33)**

**WHEREAS**, the invitation to apply for eligibility and to bid through Negotiated Procurement under Section 53.9 – Small Value Procurement was posted in the website of the Commission, at the Bids Awards Committee (BAC) Bulletin Board, and in the Philippine Government Electronic Procurement System (PhilGEPS) for the project: Supply and Delivery of Various IT Equipment: : Lot 4 – Forty-Seven (47) Units of Network Switch with an approved budget for the contract of Six Hundred Fifty-Four Thousand Six Hundred Eighty-Four Pesos and Thirty-Three Centavos (Php654,684.33) only.

**WHEREAS**, on September 28, 2020, during the schedule of submission and opening of bids, two bidders submitted their eligibility, technical, and financial requirements, namely: Proximatech Solutions Company (Proximatech) and Sonkkens Office Equipment Trading (Sonkkens). However, the BAC issued a Notice of Postponement and Rescheduling of Opening of Bids (Annex "A"). The same was posted in PRC Website, BAC Bulletin Board, and PhilGEPS.

**WHEREAS**, on September 29, 2020, during the opening and evaluation of its bids, Proximatech failed to submit its Secretary's Certificate while the Sonkkens failed to submit all the eligibility and technical requirement except for the Omnibus Sworn Statement. Both were given failed marks on their evaluation sheets and were declared to be disqualified.

**WHEREAS**, Section 35, Rule X of the 2016 Revised Implementing Rules and Regulations (RIRR) states 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, in the case of Consulting Services, there is no successful negotiation; or
- d) The bidder with the LCRB, HRRB, SCRB or SRRB refuses, without justifiable cause, x x x x (Emphasis supplied)

**WHEREAS**, Section 35.3 of the same RIRR provides for the steps and procedures that the BAC should take in case of failure of bidding; x x x

35.3. Based on its findings, the BAC shall revise the terms, conditions, and specifications, and if necessary, adjust the ABC, subject to the required approvals, and conduct a re-bidding with re-

advertisement and/or posting, as provided for in Section 21.2 of this IRR.<sup>(a)</sup> (underscore supplied)

**WHEREFORE, the BIDS AND AWARDS COMMITTEE RESOLVES, as it hereby RESOLVED, to DECLARE A FAILURE OF BIDDING FOR THE SUPPLY AND DELIVERY OF VARIOUS IT EQUIPMENT: LOT 4 – FORTY-SEVEN (47) UNITS OF NETWORK SWITCH with a total approved budget for the contract of SIX HUNDRED FIFTY-FOUR THOUSAND SIX HUNDRED EIGHTY-FOUR PESOS AND THIRTY-THREE CENTAVOS (PHP654,684.33). Consequently, the BAC shall conduct a re-bidding with re-advertisement and/or posting of said procurement project.**

Done in the City of Manila, Philippines, this October 14, 2020.

**BIDS AND AWARDS COMMITTEE**

  
**ARISTOGERSON T. GESMUNDO**  
Chairman


  
**OMAIMAH E. GANDAMRA**  
Vice-Chairman

  
**MARIA PINKY M. DE PANO**  
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