



Republic of the Philippines
Professional Regulation Commission
Manila

BIDS AND AWARDS COMMITTEE
RESOLUTION NO. 110(A)
Series of 2022

**POST DISQUALIFICATION AND DECLARATION OF FAILURE OF BIDDING
FOR THE SUBSCRIPTION OF LICENSE RENEWAL FOR THE FORTINET
LOAD BALANCER WITH AN APPROVED BUDGET FOR THE CONTRACT
OF TWO MILLION PESOS (PHP2,000,000.00)**

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: Subscription of License Renewal for the Fortinet Load Balancer with an approved budget for the contract of Two Million Pesos (Php2,000,000.00).

WHEREAS, on October 12, 2022 a pre-bid conference was held to explain and clarify the bidding documents and to accommodate any inquiry which the bidders may have. This was attended only by Innovation Experts Inc.

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 October 24, 2022, during the submission and opening of bids, only Innovation Experts Inc. purchased and submitted its bidding document.

WHEREAS, the BAC evaluated the bid documents submitted using a non-discretionary “pass/fail” criterion and found out that Innovation Experts Inc. complied with the eligibility and technical requirements, thus, its financial document was opened and its bid amounting to One Million Nine Hundred Ninety-Four Thousand Seven Hundred Twenty-Nine Pesos (Php. 1,994,729.00).

WHEREAS, Innovation Experts Inc. was declared as Single Calculated Bidder and was subjected to post-qualification.

WHEREAS, during the post-qualification on October 26, 2022 the BAC found that Innovation Experts Inc. failed to comply with the applicable Labor Laws evidenced by their consistently delayed in the remittance for the monthly contributions of their employees with the SSS, PhilHealth, and PAG-IBIG.

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 INNOVATION EXPERTS INC. POST DISQUALIFIED AND DECLARE A FAILURE OF BIDDING FOR THE SUBSCRIPTION OF LICENSE RENEWAL FOR THE FORTINET LOAD BALANCER.**

Done in the City of Manila, Philippines, this 28th day of October 2022.

BIDS AND AWARDS COMMITTEE


ERWIN M. ENAD
Chairman


MARIA LIZA M. HERNANDEZ
Vice-Chairperson


WILMA T. UNANA
Member


HENRIETTA P. NARVAEZ
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