



Republic of the Philippines  
Professional Regulation Commission  
Manila



**BIDS AND AWARDS COMMITTEE**

Resolution No. 2022 - **36**

**DECLARATION OF FAILURE OF BIDDING FOR THE PROCUREMENT OF PRC MAILING ENVELOPE WITH A TOTAL APPROVED BUDGET FOR THE CONTRACT OF TWENTY-FIVE THOUSAND THREE HUNDRED FIFTY PESOS (PHP 25,350.00) THROUGH NEGOTIATED PROCUREMENT UNDER SECTION 53.9 – SMALL VALUE PROCUREMENT**

**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: Procurement of PRC Mailing Envelope with an approved budget for the contract of Twenty-Five Thousand Three Hundred Fifty Pesos (Php 25,350.00) only.

**WHEREAS**, during the scheduled deadline and submission of bid proposals on June 7, 2022, One (1) bidder participated and submitted its eligibility and technical requirements, namely: WIN-SONS PRINTING PRESS.

**WHEREAS**, during the opening and evaluation of bid, WIN-SONS PRINTING PRESS failed to submit a valid Mayor's/Business permit and only attached a Statement of Account valid only until March 31, 2022. Their PhilGEPS Registration Number is also expired and the validity was only until April 23, 2020. Therefore, the bidder was marked as failed in complying with the Terms of Reference.

**WHEREAS**, Section 30, Rule IX of the 2016 Revised Implementing Rules and Regulations (IRR) 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**, Section 35, Rule X of the 2016 Revised IRR provides for the authority of the BAC to declare a failure of bidding in cases where no bidders responded to the request for quotation, 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 xxx (Emphasis supplied)

**WHEREAS**, Section 35. 2 of the same IRR provides for the steps and procedures that the BAC should take in case of failure of bidding; x x x to wit:

- 35.2. In order to determine the reason for the failed bidding, the BAC shall conduct a mandatory review and evaluation of the terms, conditions, and specifications in the Bidding Documents, including its cost estimates.
- 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.(a) (underscoring supplied)

WHEREFORE, the **BIDS AND AWARDS COMMITTEE RESOLVES**, as it hereby **RESOLVED**, to **DECLARE A FAILURE OF BIDDING FOR THE PROCUREMENT OF PRC MAILING ENVELOPE** with a total approved budget for the contract of **TWENTY-FIVE THOUSAND THREE HUNDRED FIFTY PESOS (PHP 25,350.00)**. 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 **8<sup>th</sup>** day of **June, 2022**.

**BIDS AND AWARDS COMMITTEE**


  
**JOSE Y. CUETO, JR.**  
BAC Chairman

  
**MARIA LIZA M. HERNANDEZ**  
Vice-Chairperson

  
**HENRIETTA P. NARVAEZ**  
Member

  
**WILMA T. UNANA**  
Member

  
**TEODORO V. MENDOZA II**  
Alternate Member

  
**CRISANTO L. DECENA**  
Provisional Member, Non-IT Projects