



Republic of the Philippines  
Professional Regulation Commission  
Manila



**BIDS AND AWARDS COMMITTEE**  
Resolution No. 2022 - 80

**DECLARATION OF FAILURE OF BIDDING FOR THE PROJECT: PROCUREMENT OF ACCESS POINT WITH AN APPROVED BUDGET FOR THE CONTRACT OF ONE HUNDRED NINE THOUSAND FIVE HUNDRED SIXTY PESOS (PHP109,560.00)**

**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, the Philippine Government Electronic Procurement System (PhilGEPS), and Bids and Awards Committee (BAC) Bulletin Board for the project: Procurement of Access Point with an approved budget for the contract of One Hundred Nine Thousand Five Hundred Sixty Pesos (Php109,560.00);

**WHEREAS**, several prospective bidders were also invited through electronic mail to submit quotation for the project;

**WHEREAS**, during the scheduled deadline and submission of bid proposals on 30 August 2022 at 9:00 o'clock in the morning, only McSA Marketing submitted a bid proposal;

**WHEREAS**, on 30 August 2022 at 1:30 in the afternoon, during the evaluation of bids using a non- discretionary “pass/fail” criterion, the BAC declared McSA Marketing disqualified for failure to submit the following eligibility requirements:

1. Valid Mayor's / Business Permit,
2. PhilGEPS Registration Number,
3. Omnibus Sworn Statement, and
4. Duly Notarized Secretary's Certificate to the signatory in the Terms of Reference (Annex “A”) and Financial Bid (Annex “B”) of their bid proposal as authorize representative of their company.

**WHEREAS**, Section 35, Rule X of the 2016 Revised Implementing Rules and Regulations (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**, Sections 35. 2 and 35.3 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.*

**WHEREFORE, the BIDS AND AWARDS COMMITTEE RESOLVES**, as it hereby **RESOLVED**, to **DECLARE A FAILURE OF BIDDING** for the project: **PROCUREMENT OF ACCESS POINT** with an approved budget for the contract of One Hundred Nine Thousand Five Hundred Sixty Pesos (Php109,560.00).

Consequently, the BAC shall conduct a re-bidding with re-advertisement and/or posting of said procurement project upon request by the End-User.

Done in the City of Manila, Philippines, this 30<sup>th</sup> day of August 2022.

**BIDS AND AWARDS COMMITTEE**



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



**HENRIETTA P. NARVAEZ**  
Member



**WILMA T. UNANA**  
Member



**TEODORO V. MENDOZA II**  
Alternate Member



**REGIE O. TORES**  
Provisional Member, IT Projects