



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF BUDGET AND MANAGEMENT
GENERAL SOLANO STREET, SAN MIGUEL, MANILA

BIDS AND AWARDS COMMITTEE

Resolution No. 2020-63

WHEREAS, the Department of Budget and Management-Bids and Awards Committee (DBM-BAC) conducted Public Bidding for the Project, "Courier Services," with an Approved Budget for the Contract of P7,000,000.00 for FYs 2021 and 2022, through the authorized appropriations under the FY 2021 General Appropriations Act and Multi-Year Contractual Authority No. MYCA-BMB-C-19-0000005, as reflected in the Indicative Annual Procurement Plan, CY 2021;

WHEREAS, for the purpose of early procurement authorized under Section 7.6 of the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184, the proposed budget under the FY 2021 National Expenditure Program shall be used as basis;

WHEREAS, as a background, the Invitation to Bid for the Project was posted on the Philippine Government Electronic Procurement System (PhilGEPS) website, the DBM website, and all DBM bulletin boards on October 27, 2020, but a failure of bidding was declared on November 17, 2020 under BAC Resolution No. 2020-52;

WHEREAS, the second Invitation to Bid for the Project was posted on the PhilGEPS website, the DBM website, and all DBM bulletin boards on November 20, 2020;

WHEREAS, five (5) prospective bidders, namely: (i) Airspeed International Corporation; (ii) RAF International Forwarding Phils., Inc.; (iii) Intertraffic Transport Corporation (Intertraffic); (iv) Air 21; and (v) 2GO Express, Inc., responded to the said Invitation and attended the Pre-bid Conference via videoconferencing on November 27, 2020;

WHEREAS, Supplemental/Bid Bulletin (SBB) No. 1 was issued on December 2, 2020 to clarify, modify or amend items in the Bidding Documents;

WHEREAS, during the submission and opening of bids on December 9, 2020, only one (1) bidder, Intertraffic, submitted a bid;

WHEREAS, after preliminary examination of the bid, the BAC, using non-discretionary "pass/fail" criteria, determined the submission of Intertraffic as "passed" for complying with all the eligibility and technical requirements as stated in the Bidding Documents;

WHEREAS, after evaluation of the financial proposal, the BAC declared the submission of Intertraffic as the Single Calculated Bid in the amount of P6,492,940.00;

WHEREAS, after verification, validation, and ascertainment of all statements made and documents submitted by Intertraffic, using non-discretionary criteria, as stated in the Bidding Documents, the DBM-BAC found that the submission of Intertraffic failed the criteria for post-qualification due to the following reasons:

- a) Failure to comply with the Revised Section VI. Schedule of Requirements and the Revised Section VII. Technical Specifications, which were made integral parts of the Bidding Documents for the Project by virtue of SBB No. 1 dated December 2, 2020; and
- b) Non-filing and non-payment of VAT returns through the Electronic Filing and Payments System for the months of May to July 2020, as explicitly stated in Clause 20 of Section II. Instructions to Bidders (ITB), as reiterated in Clause 20 Section III. Bid Data Sheet and consistent with Section 34.2¹ of the 2016 Revised IRR of RA No. 9184; and

WHEREAS, per coordination with the Government Procurement Policy Board-Technical Support Office, it was emphasized that the Revised Section VI. Schedule of Requirements and the Revised Section VII. Technical Specifications of the Bidding Documents, as reflected in SBB No. 1 dated December 2, 2020, should be used in order to maintain the integrity of the bidding process;

WHEREAS, it is to be noted that under paragraph 8 of the Omnibus Sworn Statement executed by Intertraffic as part of its submitted bid, it declared that, “[Intertraffic] is aware of and has undertaken the responsibilities as a Bidder in compliance with the Philippine Bidding Documents, which includes: (a) Carefully examining all of the Bidding Documents xxx (d) inquiring or securing Supplemental Bid/Bulletin (SBB) issued for Courier Services”;

WHEREAS, Section 35.1 (c) of the 2016 Revised IRR of RA No. 9184 states that, “[t]he BAC shall declare the bidding a failure when all bids fail to comply with all the bid requirements or fail post-qualification, or, in the case of Consulting Services, there is no successful negotiation”;

WHEREAS, in order to determine and address the reason for the failed bidding, the BAC initiated a mandatory review and requested the end-user unit, Administrative Service, to evaluate of the terms, conditions, and specifications in the Bidding Documents, including its cost estimates, pursuant to Section 35.2 of the 2016 Revised IRR of RA No. 9184;

NOW, THEREFORE, for and in consideration of the foregoing premises, the BAC **RESOLVED**, as it hereby **RESOLVED**, the following:

¹ 34.2. Within five (5) calendar days from receipt by the bidder of the notice from the BAC that the bidder has the Lowest Calculated Bid or Highest Rated Bid, the bidder shall submit to the BAC its latest income and business tax returns, and other appropriate licenses and permits required by law and stated in the Bidding Documents. xxx

- 1) to declare the post-disqualification of Intertraffic Transport Corporation for the Project, "Courier Services," and to notify the said bidder in writing of its post-disqualification and the grounds for it, pursuant to Section 34.5 of the 2016 Revised IRR of RA No. 9184;
- 2) to declare a second failure of bidding for the Project, pursuant to Section 35.1 (c) of the 2016 Revised IRR of RA No. 9184; and
- 3) to conduct a re-bidding, and reposting for the Project as provided for in Section 21.2 of the same IRR.

ADOPTED, this 11th day of December 2020 at the Department of Budget and Management, General Solano St., San Miguel, Manila.

THEA MARIE CORINNE F. PALARCA
End-user Representative

VIRGILIO A. UMPACAN, JR.
B.U.D.G.E.T. Representative

YOLANDA R. REYES
Alternate Member

ROWEL D. ESCALANTE
Member

ROSEMARIE D. PAGALA
Alternate Member

ANDREA CELENE M. MAGTALAS
Vice Chairperson

JANET B. ABUEL
Chairperson