



Republic of the Philippines
Power Sector Assets and Liabilities Management Corporation
24th Floor Vertis North Corporate Center 1, Astra corner Lux Drives
Vertis North, North Avenue, Quezon City
Telephone Number (02) 8248-4861
<https://www.psalm.gov.ph>

BAC RESOLUTION NO. SBAC-2021-099

- 1. DECLARATION OF FAILURE OF BIDDING; AND**
- 2. RECOMMENDATION FOR CONDUCT OF RE-BIDDING**

**FOR THE PROCUREMENT OF AIR PURIFIERS FOR PSALM CORPORATION
(PROJECT REFERENCE NO. 2021-SVP-APPC-057-01)**

WHEREAS, the Power Sector Assets and Liabilities Management (PSALM) Corporation is a government-owned and -controlled corporation duly established under Republic Act (RA) No. 9136 to manage the privatization of assets of the National Power Corporation (NPC) transferred to PSALM with the objective of liquidating all NPC financial obligations in an optimal manner;

WHEREAS, RA 9184, otherwise known as the Government Procurement Reform Act, was enacted to modernize, standardize and regulate procurement activities governed by the principles on transparency, competitiveness, system of accountability, public monitoring and streamlined process;

WHEREAS, RA 9184 likewise provides that all procurement should be within the approved budget and contained in the approved Annual Procurement Plan (APP);

WHEREAS, on 25 August 2021, the PSALM President and CEO, as the Head of Procuring Entity, approved the Supplemental APP for CY 2021 for the Procurement of Air Purifiers for PSALM Corporation (the "Project") with an estimated budget of Eight Hundred Fifty Thousand Pesos (PHP850,000.00);

WHEREAS, on 12 August 2021, the pre-procurement conference was conducted wherein the Bids and Award Committee (BAC) approved the Request for Proposal, the Approved Budget for the Contract (ABC) in the amount of Seven Hundred Fifty Thousand Pesos (PHP750,000.00) and the timeline for the Project;

WHEREAS, on 01 September 2021, the Invitation to Submit Proposal for the Project with Project Reference No. 2021-SVP-APPC-057-01 was posted at the websites of the Philippine Government Electronic Procurement System (<https://www.philgeps.gov.ph>) and PSALM (<https://www.psalm.gov.ph>) and at the PSALM Office. The Invitation to Submit Proposal was also sent to at least three (3) suppliers of known qualifications;

WHEREAS, on 07 September 2021, the online/electronic submission and opening of proposals was conducted and two (2) bidders, namely: (1) SEMM International Enterprises; and (2) Ecoelectric Solutions submitted their proposals before the submission deadline at 10:00 AM;

WHEREAS, in the preliminary examination of the proposals, both bidders were rated as “passed”;

WHEREAS, the financial bids of both bidders were likewise found to be compliant and within the ABC, as follows:

| Bidder Identification/Name | Bid As Read Amount (PHP) |
|--------------------------------|--------------------------|
| | ABC = PHP750,000.00 |
| SEMM International Enterprises | 739,200.00 |
| Ecoelectric Solutions | 644,444.89 |

WHEREAS, the BAC declared Ecoelectric Solutions as the lowest quotation as read, subject to the detailed bid evaluation and post-qualification;

WHEREAS, the BAC, through the AGSD, conducted a detailed evaluation of the bids with the following results:

| Bidder Identification/Name | Bid As Calculated Amount (PHP) |
|--------------------------------|--------------------------------|
| | ABC = PHP750,000.00 |
| SEMM International Enterprises | 739,200.00 |
| Ecoelectric Solutions | 644,444.89 |

WHEREAS, during bid evaluation, the TWG found that SEMM International Enterprises did not submit its 1st Quarter of the 2021 Value-Added Tax Return (Form 2550Q) and was evaluated as not eligible;

WHEREAS, the BAC declared Ecoelectric Solutions as the bidder with the Lowest Calculated Quotation upon the recommendation of the TWG, as indicated in the Bid Evaluation Report dated 09 September 2021;

WHEREAS, on 10 September, the Notice of Post-Qualification was issued through electronic mail (email) to Ecoelectric Solutions and was acknowledged by Ms. Marilou Ferrer on 15 September 2021;

WHEREAS, on 17 September 2021, the BAC served the Notice of Disqualification to SEMM International Enterprises through email and informed the said bidder that it has three (3) days to file its Request for Reconsideration (RR) from receipt of the notice, which was acknowledged by its Authorized Representative, Ms. Maria Lynn N. Tobias-Lantin, on 20 September 2021;

WHEREAS, PSALM did not receive a RR from SEMM International Enterprises within the three (3) days prescribed period which lapsed on 23 September 2021;

WHEREAS, upon post-qualification, Ecoelectric Solutions was found non-compliant and non-responsive to all the requirements and conditions specified in the Request for Proposal, as indicated in the Post-Qualification Evaluation Report dated 16 September 2021;

WHEREAS, the BAC, upon the recommendation of the TWG, declared Ecoelectric Solutions as post-disqualified due to non-submission of documents as required during post-qualification;

WHEREAS, on 17 September 2021, the BAC served the Notice of Post-Disqualification to Ecoelectric Solutions through email and informed the said bidder that it has three (3) days to file its RR from receipt of the notice, which was acknowledged by Ms. Ferrer on 21 September 2021;

WHEREAS, PSALM did not receive a RR from Ecoelectric Solutions within the three (3) days prescribed period which lapsed on 24 September 2021;

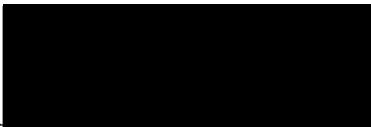
WHEREAS, Section 35.1(c) of the 2016 Revised Implementing Rules and Regulations (IRR) of RA 9184 provides that the BAC shall declare the bidding a failure when all bids fail to comply with all the bid requirements or fail post-qualification;

NOW, THEREFORE, for and in consideration of the foregoing, We, the Members of the Bids and Awards Committee, **RESOLVE**, as it is hereby **RESOLVED**, to recommend for approval by the Head of the Procuring Entity the following:

1. Declare a **FAILURE OF BIDDING** for the Procurement of Air Purifiers for PSALM Corporation; and
2. Conduct a re-bidding for the Project in accordance with the provisions of RA 9184 and its IRR.

---- signatories on the following page -----

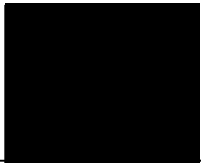
RESOLVED, at the 24th Floor, Vertis North, Corporate Center 1, Astra corner Lux Drives, Vertis North, North Avenue, 1105 Quezon City this 6th day of October 2021.



FREDERICK R. TAMAYO
Member



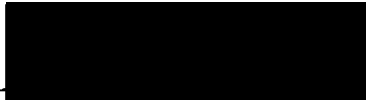
RONALD V. SIQUIOCO
Member



EDGAR C. CABRERA
Member

(on sick leave)

GLEND A. LEAH A. CARINGAL
Vice-Chairperson



GLENN B. SANTOS
Chairperson
Bids and Awards Committee

NOTED:



IRENE JOY BESIDO-GARCIA
President and CEO
Date:

OCT 13 2021