



TECHNICAL EDUCATION AND SKILLS DEVELOPMENT AUTHORITY
ISO 9001 : 2008 CERTIFIED

Tatak ng Integridad, Serbisyong Dekalidad, Kaagapay sa Pag-unlad



BIDS AND AWARDS COMMITTEE
(CENTRAL OFFICE)

RESOLUTION NO. 65-2017

**RECOMMENDING THE AWARD OF CONTRACT TO U-BIX CORPORATION FOR THE
PROVISION OF PHOTOCOPIING SERVICES FOR THE TESDA CENTRAL OFFICE
(JANUARY 1, 2018 – DECEMBER 31, 2018)**

WHEREAS, the Bids and Awards Committee (BAC), as mandated by Republic Act No. 9184, otherwise known as the Government Procurement Reform Act, is the body tasked to post invitations to bid, to conduct pre-bid conferences, to determine the eligibility of prospective bidders, to receive and open bids, to conduct the evaluation of bids, to conduct post-qualification and to recommend award of contracts to the Head of the Procuring Entity;

WHEREAS, in view of the Provision of Photocopying Services for the TESDA Central Office (January 1, 2018 – December 31, 2018), the Director General created a Technical Working Group (TWG) that will assess and evaluate the photocopying requirements in the TESDA-Central Office and identify the appropriate equipment, tools and supplies intended for the use of the agency taking into consideration the technical specifications and costing. Copy of TESDA Order No. 341, Series of 2017, issued on 19 September 2017 is hereto attached as Annex "A";

WHEREAS, the Technical Education and Skills Development Authority (TESDA) intends to apply the sum of One Million Nine Hundred Ninety-Seven Thousand Four Hundred Eighteen Pesos and 96/100 (Php1,997,418.96) for the Provision of Photocopying Services for the TESDA Central Office (January 1, 2018 – December 31, 2018). A copy of the Terms of Reference (TOR) is hereto attached as Annex "B";

WHEREAS, the BAC upon receipt of the TOR for the Provision of Photocopying Services for the TESDA Central Office (January 1, 2018 – December 31, 2018) convened on 09 November 2017 at 2:22 p.m. at the CSA Conference Room located at the 2nd Floor, TESDA Administration Building in Taguig City to conduct a pre-procurement conference with the end-user's representative in accordance with Section 20 of the Revised Implementing Rules and Regulations of Republic Act No. 9184. A copy of the Minutes of the Meeting is hereto attached as Annex "C";

WHEREAS, the BAC in compliance also with the directive of the Director General invited several observers registered with PhilGEPS to witness the bidding activities particularly on the Provision of Photocopying Services for the TESDA Central Office (January 1, 2018 – December 31, 2018) for purposes of transparency and good governance. Pursuant to Section 13 of Revised Implementing Rules and Regulations of Republic Act No. 9184, the BAC invited several observers to attend the pre-bid conference on 21 November 2017 and the bid opening on 06 December 2017. Copies of the letters to observers are hereto attached as Annexes "D", "E", "F", "G", "H", "I", "J", "K", "L", "M", "N", "O", "P", "Q" and "R", respectively;

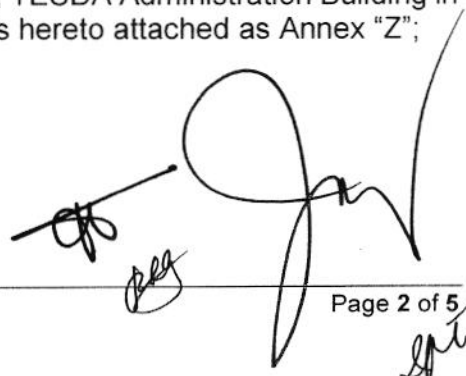
WHEREAS, pursuant to Section 21 of the Revised Implementing Rules and Regulations of Republic Act No. 9184, TESDA advertised the Invitation to Bid for the Provision of Photocopying Services for the TESDA Central Office (January 1, 2018 – December 31, 2018) in two (2) newspapers of general circulation and posted the same in the PhilGEPS on 10 November 2017. Copies of which are hereto attached as Annexes “S”, “T” and “U”, respectively;

WHEREAS, responding to the abovementioned Invitation to Bid, two (2) prospective bidders signified their interest to participate in said bidding process by purchasing bidding documents namely 1) E-Copy Corporation and 2) U-BIX Corporation. Copies of the official receipt for the purchase of bidding documents are hereto attached as Annexes “V” and “W”, respectively;

WHEREAS, the pre-bid conference was held on 22 November 2017 at 2:11 p.m. at the CSA Conference Room located at the 2nd Floor, TESDA Administration Building in Taguig City. A copy of the Minutes of the Meeting is hereto attached as Annex “X”;

WHEREAS, the BAC issued a bid bulletin requiring the prospective bidder to submit certain documents namely certificate of registration with the Department of Trade and Industry (DTI), Securities and Exchange Commission (SEC) or Cooperative Development Authority (CDA), Business Permit issued by the city or municipality where the principal place of business of the prospective bidder is located, tax clearance and the prospective bidder’s audited financial statements, showing, among others, the prospective bidder’s total and current assets and liabilities, stamped “received” by the BIR or its duly accredited and authorized institutions, for the preceding calendar year which should not be earlier than two (2) years from the date of bid submission during the bid opening on 06 December 2017 despite the submission of the bidder of their Philippine Government Electronic Procurement System (PhilGEPS) Platinum Certificate of Membership for purposes of further verification by the BAC. Likewise, the statement of the prospective bidder of all its ongoing government and private contracts, including contracts awarded but not yet started, if any, whether similar or not similar in nature and complexity to the contract to be bid should also be submitted by the bidder during the bid opening. Also, there are several documents to be submitted by the winning bidder once an award of contract is made in the original relative to the two (2) operators/technicians that would be assigned in TESDA namely Contract of Employment, Police Clearance issued within one (1) month from the date of the bid opening, National Bureau of Investigation (NBI) Clearance issued within one (1) month from the date of the bid opening and Barangay Clearance issued within one (1) month from the date of the bid opening. A copy of Bid Bulletin No. 01 issued on 21 November 2017 is hereto attached as Annex “Y”;

WHEREAS, the bid opening was held on 06 December 2017 at 2:06 p.m. at the CSA Conference Room located at the 2nd Floor, TESDA Administration Building in Taguig City. A copy of the Minutes of the Meeting is hereto attached as Annex “Z”;



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WHEREAS, E-Copy Corporation and U-BIX Corporation passed the eligibility requirements pursuant to Sections 23 and 25 of the Revised Implementing Rules and Regulations of Republic Act No. 9184. A copy of the Eligibility Requirements Checklist and Abstract of Bids are hereto attached as Annexes "AA" and "BB", respectively;

WHEREAS, accordingly, a Technical Evaluation Group (TEG) was created to conduct bid evaluation vis-à-vis agency requirements taking into consideration the completeness of the bid in terms of technical specifications and pricing and to verify/check the performance of the bidders relative to their previous contracts with the government and private entities as provided by Section 34 of Republic Act No. 9184. A copy of the BAC Order No. 11, Series of 2017, issued on 10 November 2017 is hereto attached as Annex "CC";

WHEREAS, pursuant to Section 34 of Rule X (Post-Qualification) of the Revised Implementing Rules and Regulations of Republic Act No. 9184, verification and validation of the bidder's legal documentary requirements must be made. As such, the Chairperson of the TEG issued letter to the Accounts Receivable Monitoring Division of the Bureau Internal Revenue (BIR) for the validation of the tax clearance issued by said office to U-BIX Corporation. A copy of the letter to BIR is hereto attached as Annex "DD";

WHEREAS, the abovementioned office had issued its confirmation letter regarding the document submitted by U-BIX Corporation for the Provision of Photocopying Services for the TESDA Central Office (January 1, 2018 – December 31, 2018). A copy of the confirmation letter of the Accounts Receivable Monitoring Division of the BIR is hereto attached as Annex "EE";

WHEREAS, pursuant to Section 25.2.a (viii) of the Revised Implementing Rules and Regulations of Republic Act No. 9184 which requires prospective bidders or its duly authorized representatives to submit a sworn statement in the form prescribed by the GPPB that it complies with existing labor laws and standards, compliance by the bidders with the foregoing shall be supported with the clearances or certifications from the Department of Labor and Employment (DOLE), National Labor Relations Commission (NLRC), Social Security System (SSS), Philippine Health Insurance Corporation (PhilHealth) and Pag-IBIG Fund. Clearances must be issued at least within three (3) months from the date of bid opening. This is pursuant to GPPB Resolution No. 01-2008 issued on 07 March 2008 giving the procuring entity the discretion whether to require the clearances from the bidders;

WHEREAS, U-BIX Corporation submitted during the bid opening a certification from the Department of Labor and Employment (DOLE) certifying that it has no pending case before said office in compliance with the eligibility requirements prescribed under Clause 5.1.4 of Section III (Bid Data Sheet) of page 40 of the bidding documents. Copy of the foregoing certification is hereto attached as Annex "FF";

WHEREAS, U-BIX Corporation submitted a certification from National Labor Relations Commission (NLRC) certifying that it has a pending case filed before said office docketed as NLRC NCR Case No. 02-01337-16. Copy of the certification issued by NLRC is hereto attached as Annex "GG";

WHEREAS, the labor case involving U-BIX Corporation pending before the NLRC is not a ground for disqualification since TESDA must consider however that the bidder has not been finally adjudged by a court of competent jurisdiction to have violated any labor law or social legislation as prescribed under GPPB Circular No. 01-2008 issued on 07 March 2008;

WHEREAS, U-BIX Corporation submitted a clearance from Social Security System (SSS) certifying that U-BIX Corporation has remitted the contributions of its employees up to November 2016 to SSS and that it has no pending case with the Prosecutor's Office, Courts and Social Security Commission (SSC) filed by the Large Accounts Division of the SSS. However, per loans monitoring system, subject employer's contribution (ER) has a loan delinquency amounting to Twenty-Eight Thousand Nine Hundred Eighty-Four Pesos and 85/100 (Php28,984.85) computed as of 31 January 2017. This is subject for adjustment upon reconciliation of the ER's records, correction of loan unpostables, submission of list of separated employee's contributions (EE) and settlement of actual delinquency, if there is any. Copy of the clearance issued by SSS is hereto attached as Annex "HH";

WHEREAS, U-BIX Corporation submitted a certification from Philippine Health Insurance Corporation (PhilHealth) that it has remitted premium contributions of its employees from October 2016 up to October 2017. Copy of the certification issued by PhilHealth is hereto attached as Annex "II";

WHEREAS, U-BIX Corporation submitted a certificate from Pag-IBIG Fund that it has remitted premium contributions of its employees from July 1981 up to June 2017. Copy of the certificate issued by Pag-IBIG Fund is hereto attached as Annex "JJ";

WHEREAS, the Chairperson of the TEG issued letters to the DOLE, NLRC, SSS, PhilHealth and Pag-IBIG Fund for the validation of the documents issued by said offices to U-BIX Corporation. Copies of the documents are hereto attached as Annexes "KK", "LL", "MM", "NN" and "OO", respectively;

WHEREAS, the abovementioned government agencies had issued their respective confirmation regarding the clearances/certifications submitted by U-BIX Corporation for the Provision of Photocopying Services for the TESDA Central Office (January 1, 2018 – December 31, 2018). Copies of the confirmation of the DOLE, NLRC, SSS, PhilHealth and Pag-IBIG Fund are hereto attached as Annexes "PP", "QQ", "RR", "SS" and "TT", respectively;


WHEREAS, the TEG in its report found the bid offered by U-BIX Corporation to be compliant with the legal, technical and financial requirements set forth by the agency pursuant to Section 34 of Rule X (Post-Qualification) of the Revised Implementing Rules and Regulations of Republic Act No. 9184. A copy of the TEG report is hereto attached as Annex "UU";

WHEREAS, pursuant to Section 34.4 of the Revised Implementing Rules and Regulations of Republic Act No. 9184, if the BAC determines that the bidder with the Lowest Calculated Bid passes all the criteria for post-qualification, it shall declare the said bid as the Lowest Calculated Responsive Bid, and recommend to the Head of the Procuring Entity the award of contract to the said bidder at its submitted bid price;

WHEREAS, U-BIX Corporation met all the eligibility requirements prescribed by the agency and its bid had been found to be responsive to the bidding requirements. Hence, the BAC finds the bid of U-BIX Corporation to be the Lowest Calculated Responsive Bid pursuant to Section 34.4 of the Revised Implementing Rules and Regulations of Republic Act No. 9184;

NOW, THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED, to recommend the award of the contract to U-BIX Corporation as the bidder with a Lowest Calculated Responsive Bid for the Provision of Photocopying Services for the TESDA Central Office (January 1, 2018 – December 31, 2018) in the total amount of One Million Six Hundred Forty-Six Thousand Five Hundred Seventy-Nine Pesos and 83/100 (Php1,646,579.83) subject to procurement law, government accounting and auditing rules and regulations and approval of the General Appropriations Act for FY 2018.

Resolved this 26th day of December, 2017.


ATTY. DIOSDADO O. PADILLA
BAC Chairperson


IMELDA B. TAGANAS
BAC Vice Chairperson


ATTY. IMELDA T. ONG
BAC Member



RENATO L. GERON
BAC Member


MA. MAGDALENA P. BUTAD
BAC Member

Approved (if less than 5 Million)

Disapproved (if less than 5 Million)

Endorsed to the TESDA Board (if more than 5 Million)


GULING "GENE" A. MAMONDIONG
Director General/Secretary