TECHNICAL EDUCATION AND SKILLS DEVELOPMENT AUTHORITY East Service Road, South Superhighway, Taguig, Metro Manila

91st TESDA BOARD MEETING

16 June 2015, Tuesday, 2:00 p.m.

7th Floor TESDA Board Room, Office of the Chair Taguig, Metro Manila

Resolution No. 2015-01

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APPROVING THE AWARD OF CONTRACTS TO ACMI OFFICE SYSTEM PHILIPPINES, INCORPORATED, RONAN TRADING AND WELCOME EXPORT, INCORPORATED FOR THE PROCUREMENT OF STARTER TOOLKITS FOR THE SPECIAL TRAINING FOR EMPLOYMENT PROGRAM (STEP) – PHASE II

WHEREAS, Section 8 of Republic Act No. 7796, otherwise known as the "Technical Education and Skills Development Act of 1994," grants the Technical Education and Skills Development Authority (TESDA) Board the power to enter into, make, execute, perform and carry-out domestic and foreign contracts subject to existing laws, rules and regulations;

WHEREAS, in the exercise of this power, the TESDA Board shall approve all contracts entered into by the TESDA;

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 procurement of starter toolkits to be used in the implementation of the Special Training for Employment Program (STEP) – Phase II, the Director General created a Technical Working Group (TWG) that will identify the requirements for the implementation of STEP which shall necessarily include the identification of the qualifications and corresponding tools and equipment that will be covered by STEP. The TWG came out with the list of qualifications with corresponding tools and equipment in close coordination with the TESDA Regional Offices; (Annex "A" of the BAC Resolution)

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WHEREAS, Republic Act No. 10633, which is the Government Appropriations Act (GAA) for CY 2014, provides under its Special Provisions (4) that the amount of One Billion Twenty Two Million Pesos (Php1,022,000,000.00) shall be appropriated for the conduct of the Special Training for Employment Program (STEP) by TESDA on continuing appropriation basis and any procurement arising from the implementation of the STEP shall comply with the provisions of Republic Act No. 9184 and its Revised Implementing Rules and Regulations;

WHEREAS, the TESDA intends to apply the sum of One Hundred Seventy Four Million Four Hundred Twenty Six Thousand Five Hundred Seventy Seven Pesos and 06/100 Only (Php174,426,577.06) being the total Approved Budget for the Contract (ABC) for the procurement of starter toolkits for STEP – Phase II; (Annexes "B" and "C" of the BAC Resolution)

WHEREAS, the BAC upon receipt of the TOR on 22 January 2015 from the Office of the Director General (ODG) for the procurement of starter toolkits for STEP – Phase II convened on 06 February 2015 at 2:45 p.m. at the TESDA Board Room located at 7th Floor of 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; (Annex "D" of the BAC Resolution)

WHEREAS, the bidding shall be done by lot upon the directive of the TESDA Board to adhere to the principles of competitiveness, equity, efficiency and economy in the procurement process. As such, payment shall be done by lot/qualification after all the items in such lot/qualification had been delivered by the winning bidder and accepted by TESDA in accordance with the procedures and requirements prescribed by Republic Act No. 9184 and its Revised Implementing Rules and Regulations and government accounting and auditing rules and regulations;



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WHEREAS, the Technical Working Group (TWG) arrived at the ABC by canvassing the prices of the goods to be procured from the market, internet and reputable suppliers. The TWG included the cost of money, cost of deployment to the delivery sites and applicable taxes in coming up with the agency estimate of each item to be procured pursuant to Section 32.2.2 of the Revised Implementing Rules and Regulations of Republic Act No. 9184. In sum, the TWG came up with the following computation to arrive at the ABC as duly approved by the Director General:

- (Set A + Set B + Set C + Set D) / 4 = Average Price
- Average price x ten percent (10%) = Deployment/Insurance
- (Average Price + Deployment/Insurance) x eight percent (8%) = Cost of Money
- Average Price x ten percent (10%) = Taxes
- Average Price + Dep!oyment/Insurance + Cost of Money + Tax = Agency Estimate

WHEREAS, the TWG used the canvass of items made for the procurement of starter toolkits for the Special Training for Employment Program (STEP)-Phase I in August 2014. The procurement law recognizes that the planning phase which necessarily includes the determination of the ABC is usually done one (1) year ahead of the actual procurement date. As such, the canvass of the items used for the procurement of starter toolkits for the Special Training for Employment Program (STEP)-Phase I is still applicable for the Special Training for Employment Program (STEP)-Phase II:

WHEREAS, pursuant to Section 21 of the Revised Implementing Rules and Regulations of Republic Act No. 9184, TESDA advertised on 09 February 2015 the Invitation to Bid for the procurement of starter toolkits for Special Training for Employment Program (STEP) – Phase II in a newspaper of general circulation and posted the same in the PhilGEPS; (Annexes "E" and "F" of the BAC Resolution)

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WHEREAS, responding to the abovementioned Invitation to Bid, six (6) prospective bidders signified their interest to participate in said bidding process by purchasing bidding documents, namely: 1) Welcome Export, Incorporated, 2) ACMI Office System Philippines, Incorporated, 3) Ronan Trading, 4) Up-Town Industrial Sales, Incorporated, 5) East Pacific Industrial Trading and 6) Work Essentials Trading; (Annexes "G", "H", "I", "J", "K" and "L" of the BAC Resolution)

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 procurement of starter toolkits for the STEP-Phase II for purposes of transparency and good governance pursuant to Section 13 of Revised Implementing Rules and Regulations of Republic Act No. 9184. Said observers were invited to attend the pre-bid conference on 23 February 2015 and the bid opening on 13 March 2015; (Annexes "M", "N", "O", "P", "Q", "R", "S" and "T" of the BAC Resolution)

WHEREAS, the pre-bid conference was held on 23 February 2015 at 2:05 p.m. at the TESDA Board Room located at 7th Floor of TESDA Administration Building in Taguig City; (Annex "U" of the BAC Resolution)

WHEREAS, the issues and concerns of the bidders present during the prebid conference had been addressed to by the BAC through the issuance of Bid Bulletin No. 01 dated 23 February 2015 and Bid Bulletin No. 02 dated 27 February 2015; (Annexes "V" and "W" of the BAC Resolution)

WHEREAS, to extend equal opportunity to all prospective bidders that are eligible to participate in the public bidding, the BAC unanimously came up with the Bid Bulletin No. 01 strictly adhering to Section 23.5.1.3 of the of Revised Implementing Rules and Regulations of Republic Act No. 9184 wherein the prospective bidders must have completed only a single contract that is similar to the

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contract to be bid whose value must be at least fifty percent (50%) of the ABC. Likewise, the BAC unanimously prescribed what is the relevant period covered by the statement of the prospective bidder of all its ongoing and completed government and private contracts including contracts awarded but not yet started that is similar in nature and complexity to the contract to be bid pursuant to Section 23.1(a)(iii) of the of Revised Implementing Rules and Regulations of Republic Act No. 9184. The BAC unanimously provided that the relevant period shall be within six (6) years from the date of the opening of bids. Lastly, to ensure that the delivery of all items to be procured shall be made efficiently and smoothly, the BAC unanimously prescribed that the delivery period shall be ninety (90) calendar days from receipt of the Notice to Proceed. This is to consider the volume or bulk of the goods to be supplied and delivered to the respective delivery sites (TESDA regional offices) nationwide; (Annexes "U" and "V" of the BAC Resolution)

WHEREAS, on 02 March 2015, East Pacific Industrial Trading filed its request for reconsideration via e-mail (ocsa.pmsd@tesda.gov.ph) requesting that the additional eligibility requirements under Clause 5.1 of Section III of the Bid Data Sheet as found on page 27 of the bidding documents for the Procurement of Starter Toolkits for the Special Training for Employment Program (STEP) – Phase II be changed into three (3) years instead of ten (10) years in so far as the business existence is concerned; (Annex "X" of the BAC Resolution)

WHEREAS, the BAC denied the request for reconsideration filed by East Pacific Industrial Trading in its letter dated 02 March 2015, which was received by the said bidder on 02 March 2015 via e-mail and on 16 March 2015 via LBC, respectively, and pointed out that the issues and concerns raised by East Pacific Industrial Trading should have been raised during the pre-bid conference where all participating bidders are present including the observer from the Commission on Audit (COA). The BAC also emphasized that the letter of East Pacific Industrial Trading dated 02 March 2015 appears to be a request for reconsideration of its "perceived" or "expected" decision of the BAC once the eligibility requirements of

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East Pacific Industrial Trading are evaluated during the bid opening. As such, its request for reconsideration is too premature since it can only be done after the bidder has been disqualified or held ineligible to bid pursuant to Section 55 of Rule XVII (Protest Mechanism) of the Revised Implementing Rules and Regulations of Republic Act No. 9184; (Annex "Y" of the BAC Resolution)

WHEREAS, the bid opening was held on 16 March 2015 at 2:10 p.m. at the TESDA Board Room located at 7th Floor of TESDA Administration Building in Taguig City; (Annex "Z" of the BAC Resolution)

WHEREAS, East Pacific Industrial Trading and Work Essentials Trading were declared ineligible due to their non-compliance with the eligibility requirement that the bidder must have been in the business for ten (10) years from the date of opening of bids. Hence, the BAC declared the bids of East Pacific Industrial Trading and Work Essentials Trading as ineligible. East Pacific Industrial Trading and Work Essentials Trading were given until 19 March 2015 within which to file their respective requests for reconsideration pursuant to Section 55.1 of the Revised Implementing Rules and Regulations of Republic Act No. 9184. The period within which to file the request for reconsideration had already lapsed without the request for reconsideration having filed by the said bidders; (Annex "Z" of the BAC Resolution)

WHEREAS, only ACMI Office System Philippines, Incorporated, Ronan Trading, Up-Town Industrial Sales, Incorporated and Welcome Export, Incorporated passed the eligibility requirements pursuant to Sections 23 and 25 of the Revised Implementing Rules and Regulations of Republic Act No. 9184; (Annexes "AA", "BB", "CC", "DD", "EE", "FF" and "GG" of the BAC Resolution)

WHEREAS, accordingly, a Technical Evaluation Group (TEG) was created to conduct a bid evaluation vis-à-vis agency requirements taking into consideration the completeness of the bid in terms of technical specifications and pricing and to

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verify/check the performance of the bidders relative to their previous contracts with the government and private entities as provided by Section 34 of Rule X (Post-Qualification) of the Revised Implementing Rules and Regulations of Republic Act No. 9184; (Annex "HH" of the BAC Resolution)

WHEREAS, East Pacific Industrial Trading and Work Essentials Trading wrote the BAC on 14 May 2015 (the month should have been April since the e-mail was dated 14 April 2015) and 15 April 2015, respectively, requesting for the withdrawal of their respective bidding documents; (Annexes "II" and "JJ" of the BAC Resolution)

WHEREAS, the BAC Secretariat issued letters to East Pacific Industrial Trading and Work Essentials Trading dated 15 April 2015 and 28 April 2015, respectively, returning the sealed bidding documents of said bidders which were submitted during the bid opening on 16 March 2015 for the Procurement of Starter Toolkits for the Special Training for Employment Program (STEP) – Phase II; (Annexes "KK" and "LL" of the BAC Resolution)

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 letters to Metropolitan Bank & Trust Company for the validation of the bank guarantee and Credit Line Certificate (CLC) submitted by ACMI Office System Philippines, Incorporated, Planters Development Bank for the validation of the CLC submitted by Welcome Export, Incorporated and the surety companies namely Centennial Guarantee Assurance Corporation, Sterling Insurance Company Incorporated and First Integrated Bonding & Insurance Co., Inc. for the validation of the surety bonds submitted by Ronan Trading, Welcome Export, Incorporated and Up-Town Industrial Sales, Incorporated, respectively. Likewise, letters were issued to the Accounts Receivable Monitoring Division of the Bureau Internal Revenue (BIR) for the validation of the tax clearances

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issued by said office to ACMI Office System Philippines, Incorporated, Ronan Trading, Up-Town Industrial Sales, Incorporated and Welcome Export, Incorporated; (Annexes "MM", "NN", "OO", "PP", "QQ", "RR", "SS", "TT" and "UU" of the BAC Resolution)

WHEREAS, the abovementioned companies/offices had issued their respective confirmation letters regarding the documents submitted by ACMI Office System Philippines, Incorporated, Ronan Trading, Up-Town Industrial Sales, Incorporated and Welcome Export, Incorporated to TESDA for the procurement of starter toolkits for the STEP – Phase II; (Annexes "VV", "WW", "XX", "YY", "ZZ", "AAA" and "BBB" of the BAC Resolution)

WHEREAS, pursuant to Section 34 of Rule X (Post-Qualification) of the Revised Implementing Rules and Regulations of Republic Act No. 9184, verification and/or inspection and testing of the goods for the procurement of goods may be done to determine the compliance of the goods with the requirements of the agency. As such, the BAC Chairperson issued letters to ACMI Office System Philippines, Incorporated, Ronan Trading, Up-Town Industrial Sales, Incorporated and Welcome Export, Incorporated relative to the conduct of verification, inspection and testing of the goods being offered the company to ensure compliance with the agency requirements; (Annexes "CCC", "DDD", "EEE" and "FFF" of the BAC Resolution)

WHEREAS, upon careful examination, validation and verification of all the technical and financial proposals submitted by ACMI Office System Philippines, Incorporated, Ronan Trading, Up-Town Industrial Sales, Incorporated and Welcome Export, Incorporated, the TEG in its report found the bids offered by ACMI Office System Philippines, Incorporated, Ronan Trading, Up-Town Industrial Sales, Incorporated and Welcome Export, Incorporated 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. However, on various lots/qualifications, ACMI Office System

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Philippines, Incorporated, Welcome Export, Incorporated and Up-Town Industrial Sales, Incorporated failed to comply with the technical specifications prescribed by the agency. As such, their bids were post-disqualified accordingly; (Annex "GGG" of the BAC Resolution)

WHEREAS, according to the report of the Technical Evaluation Group (TEG), the BAC hereby resolves to adopt its findings and recommendations by way of recommending the award of the contract on a per lot basis to the bidders and declaring a failure of bidding in several lots as follows:

LOT NO.	QUALIFICATION	AMOUNT OF BID	WINNING BIDDER
1	Bread Making (Leading to Bread and Pastry Production NC II)	Php14,454,640.00	ACMI Office System Philippines, Incorporated
II	Pastry Making (Leading to Bread and Pastry Production NC II)	Php6,215,720.00	ACMI Office System Philippines, Incorporated
Ш	Cake Making (Leading To Bread And Pastry Production NC II)	Php5,444,160.00	ACMI Office System Philippines, Incorporated
IV .	Prepare and Cook Hot Meals (Leading to Cookery NC II)	Php5,429,760.00	Welcome Export, Incorporated
٧	Prepare Cold Meals (Leading to Cookery NC II)	Php2,195,660.00	Welcome Export, Incorporated



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VI	Process Food by Salting, Curing and Smoking (Leading to Food Processing NC II)	Php4,450,230.00	Welcome Export, Incorporated
VII	Process Foods by Fermentation and Pickling (Leading to Food Processing NC II)	Php943,800.00	Welcome Export, Incorporated
VIII	Process Foods By Sugar Concentration (Leading to Food Processing NC II)	Php1,364,080.00	ACMI Office System Philippines, Incorporated
IX	Install Wiring Devices / Install Lighting System (Leading to Electrical Installation and Maintenance NC II)	Php6,236,650.00	ACMI Office System Philippines, Incorporated
X	Carpentry NC II	Php3,784,320.00	ACMI Office System Philippines, Incorporated
ΧI	Perform Single Unit Plumbing Installation and Repair Maintenance Works (Leading To Plumbing NC II)	Php4,788,500.00	ACMI Office System Philippines, Incorporated
XII	Masonry NC I	Php1,317,730.00	ACMI Office System Philippines, Incorporated



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XIII	Plaster Concrete / Masonry Surface (Leading to Masonry NC	Php896,730.00	ACMI Office System Philippines, Incorporated
XIV	Install Precast Balusters and Handrail (Leading to Masonry NC II)	Php526,250.00	ACMI Office System Philippines, Incorporated
XV	Tile Setting NC II	Php2,264,390.00	ACMI Office System Philippines, Incorporated
XVI	Pipefitting NC II	Php1,762,350.00	ACMI Office System Philippines, Incorporated
XVII	Construction Painting NC	Php440,000.00	ACMI Office System Philippines, Incorporated
XVIII	Shielded Metal Arc Welding (SMAW) NC I	Php34,929,600.00	ACMI Office System Philippines, Incorporated
XIX	Service Consumer Electronic Products and Systems (Assembly of Solar Nightlight and Post Lamp)	Php3,404,600.00	ACMI Office System Philippines, Incorporated
xx	Raise Poultry (Leading to Animal Production NC II)	Php2,830,150.00	ACMI Office System Philippines, Incorporated
XXI	Raise Swine (Leading to Animal Production NC II)	Failure of Bidding	



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XXII	Raise Small Ruminants (Leading to Animal Production NC II)	Php350,455.00	Welcome Export, Incorporated
XXIII	Produce Organic Concoction and Extracts (Leading to Agriculture Production NC II)	Php289,800.00	ACMI Office System Philippines, Incorporated
XXIV	Produce Organic Vegetable (Leading to Organic Agriculture Production NC II)	Failure of Bidding	
XXV	Hilot Wellness Massage NC II	Php3,508,831.32	Welcome Export, Incorporated
XXVI	Perform Hair Coloring Bleaching Services (Leading to Hairdressing NC II)	Php78,200.00	ACMI Office System Philippines, Incorporated
XXVII	Perform Perming / Straightening (Leading to Hairdressing NC II)	Php258,440.00	ACMI Office System Philippines, Incorporated
XXVIII	Perform Haircutting Services (Leading to Hairdressing NC II)	Php2,421,519.00	Ronan Trading
XXIX	Perform Manicure and Pedicure (Leading to Beauty Care NC II)	Php1,921,570.00	ACMI Office System Philippines, Incorporated
XXX	Perform Body Massage (Leading to Beauty Care NC II)	Php1,177,240.83	Welcome Export, Incorporated



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XXXI	Perform Body Scrub (Leading to Beauty Care NC II)	Php239,624.28	Welcome Export, Incorporated
XXXII	Perform Foot Spa (Leading to Beauty Care NC II)	Php506,920.00	ACMI Office System Philippines, Incorporated
XXXIII	Perform Facial Make-Up (Leading to Beauty Care NC II)	Failure	of Bidding
XXXIV	Dressmaking NC II	Php17,462,476.80	ACMI Office System Philippines, Incorporated
xxxv	Perform Diesel/Gas Engine Tune Up (Leading to Automotive Servicing NC I)	Php3,421,375.10	Up-Town Industrial Sales, Incorporated
XXXVI	Service Automotive Battery (Leading to Automotive Servicing NC I)	Php1,000,000.00	ACMI Office System Philippines, Incorporated
XXXVII	Service Automotive Electrical (Leading to Automotive Servicing NC II)	Php2,684,000.00	ACMI Office System Philippines, Incorporated
XXXVIII	Service Ignition System (Leading to Automotive Servicing NC I)	Php664,000.00	ACMI Office System Philippines, Incorporated



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XXXIX	Test and Repair Wiring/Lighting System Servicing (Leading to Automotive Servicing NC I)	Php2,172,000.00	ACMI Office System Philippines, Incorporated
XL	Perform Underchasis Preventive Maintenance (Leading to Automotive Servicing NC II)	Php442,045.00	Welcome Export, Incorporated
XLI	Service Engine Mechanical Components (Leading to Automotive Serving NC II)	Php2,172,880.00	ACMI Office System Philippines, Incorporated
XLII	Service Power Train Cornponents (Leading to Automotive Serving NC II)	Php184,800.00	ACMI Office System Philippines, Incorporated
XLIII	Perform Preventive Maintenance on Motorcycle and Electrical Systems (Leading to Motorcycle / Small Engine Servicing NC II)	Php2,386,230.00	Welcome Export, Incorporated
XLIV	Service Small Engine System And Components (Leading To Motorcycle/Small Engine Servicing NC II)	Php787,710.00	Welcome Export, Incorporated



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XLV	Maintain and Repair Audio / Video Products and Systems (Leading to Consumer Electronics Servicing NC II)	Php3,576,525.00	ACMI Office System Philippines, Incorporated
XLVI	Maintain and Repair Electronically-Controlled Domestic Appliances (Leading to Consumer Electronics Servicing NC II)	Php7,967,415.00	ACMI Office System Philippines, Incorporated
XLVII	Maintain and Repair Cellular Phones (Leading to Consumer Electronics NC Ii)	Php6,819,550.00	ACMI Office System Philippines, Incorporated
XLVIII	Service and Maintain Transport Airconditioning Unit (Leading to Transport RAC Servicing NC II)	Php186,400.00	Welcome Export, Incorporated
XLIX	Troubleshoot and Repair Transport Air- Conditioning System (Leading to Transport RAC Servicing NC II)	Php432,250.00	ACMI Office System Philippines, Incorporated
L	RAC Servicing (Dom/RAC) NC II	Php2,138,500.00	ACMI Office System Philippines, Incorporated



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WHEREAS, on the following lots/qualifications, while the bid offer of ACMI Office System Philippines, Incorporated on each lot/qualification is higher than Welcome Export, Incorporated, the TEG report found the bid offer of Welcome Export, Incorporated on each lot/qualification to be not in compliance with the requirements of the agency, as follows:

1.	Lot VIII	- Process Foods By Sugar Concentratio
2.	Lot IX	 (Leading to Food Processing NC II) Install Wiring Devices / Install Lighting Syster (Leading to Electrical Installation an Maintenance NC II)
3.	Lot XX	Raise Poultry (Leading to Animal Production NC II)
4.	Lot XXIII	 Produce Organic Concoction and Extract (Leading to Agriculture Production NC II)
5.	Lot XXVI	Perform Hair Coloring Bleaching Service (Leading to Hairdressing NC II)
6.	Lot XXVII	Perform Perming / Straightening (Leading to Hairdressing NC II)
7.	Lot XXXII	Perform Foot Spa (Leading to Beauty Care NO II)
8.	Lot XXXIV	- Dressmaking NC II
9.	Lot XXXVI	Service Automotive Battery (Leading to Automotive Servicing NC I)
10.	Lot XXXVII	Service Automotive Electrical (Leading to Automotive Servicing NC II)
11.	Lot XXXVIII	Service Ignition System (Leading to Automotive Servicing NC I)
12.	Lot XXXIX	Test and Repair Wiring/Lighting System Servicing (Leading to Automotive Servicing NO I)

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Lot XLI - Service Engine Mechanical Components (Leading to Automotive Serving NC II)
 Lot XLVI - Maintain and Repair Electronically-Controlled Domestic Appliances (Leading to Consumer Electronics Servicing NC II)
 Lot XLVII - Maintain and Repair Cellular Phones (Leading to Consumer Electronics NC II)

WHEREAS, pursuant to Sections 34.4 and 34.5 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. If, however, the BAC determines that the bidder with the Lowest Calculated Bid fails the criteria for post-qualification, it shall immediately notify the said bidder in writing of its post-qualification and the grounds for it;

WHEREAS, considering the non-compliance of Welcome Export, Incorporated with the requirements of the agency, the bids offered by said bidder on the abovementioned lots/qualifications are post-disqualified. The Technical Evaluation Group (TEG) finds the bids offered by ACMI Office System Philippines, Incorporated on those lots/qualifications to be compliant with the requirements of the agency; (Annex "GGG" of the BAC Resolution)

WHEREAS, on Lot XVII (Construction Painting NC II), the bid offer of Up-Town Industrial Sales, Incorporated is the Lowest Calculated Bid. However, according to the TEG report, its bid is not compliant with the requirements of the agency. Likewise, the bid offer of Welcome Export, Incorporated is not compliant with the requirements of the agency even if its bid is the Second Lowest Calculated Bid. Considering the bid offer of ACMI Office System Philippines, Incorporated, while its bid is the highest among the bidders, is compliant with the requirements of the

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agency, its bid offer has therefore been considered. This is pursuant to Section 34.7 of the Revised Implementing Rules and Regulations of Republic Act No. 9184 which states that if the second bidder, however, fails the post-qualification, the procedure for post-qualification shall be repeated for the bidder with the next Lowest Calculated Bid, and so on until the Lowest Calculated Responsive Bid, as the case may be, is determined for award; (Annex "GGG" of the BAC Resolution)

WHEREAS, pursuant to Section 34.5 of the Revised Implementing Rules and Regulations of Republic Act No. 9184, the BAC in its letters dated 12 May 2015 notified ACMI Office System Philippines, Incorporated, Up-Town Industrial Sales, Incorporated and Welcome Export, Incorporated of their post-disqualification on several lots/qualifications and the grounds for it; (Annexes "HHH", "III" and "JJJ" of the BAC Resolution)

WHEREAS, subject to Section 55.1 of the Revised Implementing Rules and Regulations of Republic Act No. 9184, ACMI Office System Philippines, Incorporated, Up-Town Industrial Sales, Incorporated and Welcome Export, Incorporated were given until 18 May 2015 within which to file their respective request for reconsideration of the decision of the BAC to post-disqualify their respective bids as identified above. The deadline to file a request for reconsideration had already lapsed without the same having been filed by the named bidders;

WHEREAS, on the basis of the TEG report, the BAC observed that there were items offered by the bidder which were found to be compliant with the requirements of the agency. However, the total costs of such items as offered by said bidder reached beyond fifteen percent (15%) of the agency estimate for such items even if the total bid offer of such bidder per lot/qualification covering those items did not exceed the Approved Budget for the Contract (ABC) for such lot/qualification; (Annex "KKK" of the BAC Resolution)

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WHEREAS, for Lot XXI (Raise Swine [Leading to Animal Production NC II]), Lot XXIV (Produce Organic Vegetable [Leading to Organic Agriculture Production NC II]) and Lot XXXIII (Perform Facial Make-Up [Leading to Beauty Care NC II]), the BAC is declaring a failure of bidding on these three (3) lots/qualifications since the bids offered by ACMI Office System Philippines, Incorporated and Welcome Export, Incorporated for said lots/qualifications, as they were the only bidders which participated in the bidding of said lots/qualifications, failed to comply with the requirements of the agency. As such, both bidders were post-disqualified pursuant to Section 35.1 (c) of the Revised Implementing Rules and Regulations of Republic Act No. 9184; (Annex "GGG" of the BAC Resolution)

WHEREAS, ACMI Office System Philippines, Incorporated, Ronan Trading, Up-Town Industrial Sales, Incorporated and Welcome Export, Incorporated met all the legal, technical and financial requirements prescribed by the agency and their bids have been found to be responsive to the bidding requirements on the several lots/qualifications identified by the TEG in its report; (Annex "LLL" of the BAC Resolution)

WHEREAS, the BAC through BAC Resolution No. 06-2015 issued on 14 May 2015 declared the bids of ACMI Office System Philippines, Incorporated, Ronan Trading, Up-Town Industrial Sales, Incorporated and Welcome Export, Incorporated offered on the following lots/qualifications as the most responsive bid for the procurement of starter toolkits for the Special Training for Employment Program (STEP) – Phase II, respectively:

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LOT NO.	QUALIFICATION	WINNING BIDDER	AMOUNT OF BID
1	Bread Making (Leading to Bread and Pastry Production NC II)	ACMI Office System Philippines, Incorporated	Php14,454,640.00
11	Pastry Making (Leading to Bread and Pastry Production NC II)	ACMI Office System Philippines, Incorporated	Php6,215,720.00
III	Cake Making (Leading To Bread And Pastry Production NC II)	ACMI Office System Philippines, Incorporated	Php5,444,160.00
IV	Prepare and Cook Hot Meals (Leading to Cookery NC II)	Welcome Export, Incorporated	Php5,429,760.00
٧	Prepare Cold Meals (Leading to Cookery NC II)	Welcome Export, Incorporated	Php2,195,660.00
VI	Process Food by Salting, Curing and Smoking (Leading to Food Processing NC II)	Welcome Export, Incorporated	Php4,450,230.00
VII	Process Foods by Fermentation and Pickling (Leading to Food Processing NC II)	Welcome Export, Incorporated	Php943,800.00
VIII	Process Foods By Sugar Concentration (Leading to Food Processing NC II)	ACMI Office System Philippines, Incorporated	Php1,364,080.00



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IX	Install Wiring Devices / Install Lighting System (Leading to Electrical Installation and Maintenance NC II)	ACMI Office System Philippines, Incorporated	Php6,236,650.00
X	Carpentry NC II	ACMI Office System Philippines, Incorporated	Php3,784,320.00
ΧI	Perform Single Unit Plumbing Installation and Repair Maintenance Works (Leading To Plumbing NC II)	ACMI Office System Philippines, Incorporated	Php4,788,500.00
XII	Masonry NC I	ACMI Office System Philippines, Incorporated	Php1,317,730.00
XIII	Plaster Concrete / Masonry Surface (Leading to Masonry NC II)	ACMI Office System Philippines, Incorporated	Php896,730.00
XIV	Install Precast Balusters and Handrail (Leading to Masonry NC II)	ACMI Office System Philippines, Incorporated	Php526,250.00
XV	Tile Setting NC II	ACMI Office System Philippines, Incorporated	Php2,264,390.00
XVI	Pipefitting NC II	ACMI Office System Philippines, Incorporated	Php1,762,350.00



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XVII	Construction Painting NC	ACMI Office System Philippines, Incorporated	Php440,000.00
XVIII	Shielded Metal Arc Welding (SMAW) NC I	ACMI Office System Philippines, Incorporated	Php34,929,600.00
XIX	Service Consumer Electronic Products and Systems (Assembly of Solar Nightlight and Post Lamp)	ACMI Office System Philippines, Incorporated	Php3,404,600.00
XX	Raise Poultry (Leading to Animal Production NC II)	ACMI Office System Philippines, Incorporated	Php2,830,150.00
XXII	Raise Small Ruminants (Leading to Animal Production NC II)	Welcome Export, Incorporated	Php350,455.00
XXIII	Produce Organic Concoction and Extracts (Leading to Agriculture Production NC II)	ACMI Office System Philippines, Incorporated	Php289,800.00
XXV	Hilot Wellness Massage NC II	Welcome Export, Incorporated	Php3,508,831.32
XXVI	Perform Hair Coloring Bleaching Services (Leading to Hairdressing NC II)	ACMI Office System Philippines, Incorporated	Php78,200.00
XXVII	Perform Perming / Straightening (Leading to Hairdressing NC II)	ACMI Office System Philippines, Incorporated	Php258,440.00



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XXVIII	Perform Haircutting Services (Leading to Hairdressing NC II)	Ronan Trading	Php2,421,519.00
XXIX	Perform Manicure and Pedicure (Leading to Beauty Care NC II)	ACMI Office System Philippines, Incorporated	Php1,921,570.00
xxx	Perform Body Massage (Leading to Beauty Care NC II)	Welcome Export, Incorporated	Php1,177,240.83
XXXI	Perform Body Scrub (Leading to Beauty Care NC II)	Welcome Export, Incorporated	Php239,624.28
XXXII	Perform Foot Spa (Leading to Beauty Care NC II)	ACMI Office System Philippines, Incorporated	Php506,920.00
XXXIV	Dressmaking NC II	ACMI Office System Philippines, Incorporated	Php17,462,476.80
xxxv	Perform Diesel/Gas Engine Tune Up (Leading to Automotive Servicing NC I)	Up-Town Industrial Sales, Incorporated	Php3,421,375.10
XXXVI	Service Automotive Battery (Leading to Automotive Servicing NC I)	ACMI Office System Philippines, Incorporated	Php1,000,000.00
XXXVII	Service Automotive Electrical (Leading to Automotive Servicing NC II)	ACMI Office System Philippines, Incorporated	Php2,684,000.00



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XXXVIII	Service Ignition System (Leading to Automotive Servicing NC I)	ACMI Office System Philippines, Incorporated	Php664,000.00
XXXIX	Test and Repair Wiring/Lighting System Servicing (Leading to Automotive Servicing NC I)	ACMI Office System Philippines, Incorporated	Php2,172,000.00
XL	Perform Underchasis Preventive Maintenance (Leading to Automotive Servicing NC II)	Welcome Export, Incorporated	Php442,045.00
XLI	Service Engine Mechanical Components (Leading to Automotive Serving NC II)	ACMI Office System Philippines, Incorporated	Php2,172,880.00
XLII	Service Power Train Components (Leading to Automotive Serving NC II)	ACMI Office System Philippines, Incorporated	Php184,800.00
XLIII	Perform Preventive Maintenance on Motorcycle and Electrical Systems (Leading to Motorcycle / Small Engine Servicing NC II)	Welcome Export, Incorporated	Php2,386,230.00
XLIV	Service Small Engine System And Components (Leading To Motorcycle/Small Engine Servicing NC II)	Welcome Export, Incorporated	Php787,710.00



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XLV	Maintain and Repair Audio / Video Products and Systems (Leading to Consumer Electronics Servicing NC II)	ACMI Office System Philippines, Incorporated	Php3,576,525.00
XLVI	Maintain and Repair Electronically-Controlled Domestic Appliances (Leading to Consumer Electronics Servicing NC II)	ACMI Office System Philippines, Incorporated	Php7,967,415.00
XLVII	Maintain and Repair Cellular Phones (Leading to Consumer Electronics NC II)	ACMI Office System Philippines, Incorporated	Php6,819,550.00
XLVIII	Service and Maintain Transport Airconditioning Unit (Leading to Transport RAC Servicing NC II)	Welcome Export, Incorporated	Php186,400.00
XLIX	Troubleshoot and Repair Transport Air-Conditioning System (Leading to Transport RAC Servicing NC II)	ACMI Office System Philippines, Incorporated	Php432,250.00
L	RAC Servicing (Dom/RAC) NC II	ACMI Office System Philippines, Incorporated	Php2,138,500.00



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WHEREAS, during the 75th Finance Committee TESDA Board and TESDA Secretariat Consultation Meeting held last 18 May 2015, the TESDA Secretariat through the BAC recommended the award of contracts to ACMI Office System Philippines, Incorporated, Ronan Trading, Up-Town Industrial Sales, Incorporated and Welcome Export, Incorporated for the procurement of starter toolkits for the Special Training for Employment Program (STEP) — Phase II on the lots/qualifications identified above;

WHEREAS, during the 76th Finance Committee TESDA Board and TESDA Secretariat Consultation Meeting held last 26 May 2015, the members of the Finance Committee TESDA Board recommended for the declaration of failure of bidding in Lot XXXV - Perform Diesel/Gas Engine Tune Up (Leading to Automotive Servicing NC I) due to the failure of the bidder to comply with the costing. The bid offer of Up-Town Industrial Sales, Incorporated was found to be not responsive to the requirements of the agency. After the bid evaluation was made per item, it was found out that the amount of the thickness gauge/feeler gauge offered by Up-Town Industrial Sales, Incorporated under said lot is one hundred percent (100%) higher than the agency estimate. While the technical specifications of the thickness gauge/feeler gauge being offered by Up-Town Industrial Sales, Incorporated complied with the requirements of the agency, its price is totally disadvantageous to the government. In the same manner, the bid offered by ACMI Office System Philippines, Incorporated was found to be not responsive to the requirements of the agency. While the technical specifications of all items being offered by ACMI Office System Philippines, Incorporated under such lot complied with the requirements of the agency and its total bid offer is within the ABC of such lot, the total bid offer of ACMI Office System Philippines, Incorporated is almost a million pesos higher than the bid offer of Up-Town Industrial Sales, Incorporated. At any rate, the bid offer of ACMI Office System Philippines, Incorporated is still disadvantageous to the government:

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WHEREAS, the following documents have been appended to this Resolution and shall form as an integral part hereof:

- BAC Resolution No. 06-2015 and its attachments recommending the approval of the award of contracts to ACMI Office System Philippines, Incorporated, Ronan Trading, Up-Town Industrial Sales, Incorporated and Welcome Export, Incorporated for the procurement of starter toolkits for the Special Training for Employment Program (STEP) – Phase II on the lots/qualifications identified above (Annex A to Annex LLL);
- 2. Duly Notarized Certification of the Agency Head Certifying that all Procedures are in Accordance with the Existing Laws;
- 3. Bidding Documents of ACMI Office System Philippines, Incorporated;

4. Bidding Documents of Ronan Trading;

5. Bidding Documents of Up-Town Industrial Sales, Incorporated; and

6. Bidding Documents of Welcome Export, Incorporated.

WHEREAS, in the 90th EXCOM-TESDA Board Meeting held last 04 June 2015, the members of the TESDA Board favorably endorsed the recommendation by the Finance Committee declaring the respective bids offered by ACMI Office System Philippines, Incorporated, Ronan Trading and Welcome Export, Incorporated as the most responsive bids pursuant to Section 34 of the Revised Implementing Rules and Regulations of Republic Act No. 9184 and awarding the contracts to ACMI Office System Philippines, Incorporated, Ronan Trading and Welcome Export, Incorporated relative to the procurement of starter toolkits for the Special Training for Employment Program (STEP) – Phase II on the lots/qualifications identified on pages 20 to 25 of this Resolution;



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WHEREAS, in the 90th EXCOM-TESDA Board Meeting held last 04 June 2015, the members of the TESDA Board favorably endorsed the recommendation by the Finance Committee declaring the respective bids offered by Up-Town Industrial Sales, Incorporated, Welcome Export, Incorporated and ACMI Office System Philippines, Incorporated to be a failure on Lot XXXV – Perform Diesel/Gas Engine Tune Up (Leading to Automotive Servicing NC I);

NOW, THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED, that the TESDA Board in its meeting today, 16 June 2015, approves the award of contracts to ACMI Office System Philippines, Incorporated, Ronan Trading and Welcome Export, Incorporated for the procurement of starter toolkits for the Special Training for Employment Frogram (STEP) — Phase II on the lots/qualifications as follows:

LOT NO.	QUALIFICATION	WINNING BIDDER	AMOUNT OF BID
1	Bread Making (Leading to Bread and Pastry Production NC iI)	ACMI Office System Philippines, Incorporated	Php14,454,640.00
II	Pastry Making (Leading to Bread and Pastry Production NC II)	ACMI Office System Philippines, Incorporated	Php6,215,720.00
111	Cake Making (Leading To Bread And Pastry Production NC II)	ACMI Office System Philippines, Incorporated	Php5,444,160.00
IV	Prepare and Cook Hot Meals (Leading to Cookery NC II)	Welcome Export, Incorporated	Php5,429,760.00



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٧	Prepare Cold Meals (Leading to Cookery NC II)	Welcome Export, Incorporated	Php2,195,660.00
VI	Process Food by Salting, Curing and Smoking (Leading to Food Processing NC II)	Welcome Export, Incorporated	Php4,450,230.00
VII	Process Foods by Fermentation and Pickling (Leading to Food Processing NC II)	Welcome Export, Incorporated	Php943,800.00
VIII	Process Foods By Sugar Concentration (Leading to Food Processing NC II)	ACMI Office System Philippines, Incorporated	Php1,364,080.00
iX	Install Wiring Devices / Install Lighting System (Leading to Electrical Installation and Maintenance NC II)	ACMI Office System Philippines, Incorporated	Php6,236,650.00
X	Carpentry NC II	ACMI Office System Philippines, Incorporated	Php3,784,320.00
XI	Perform Single Unit Plumbing Installation and Repair Maintenance Works (Leading To Plumbing NC II)	ACMI Office System Philippines, Incorporated	Php4,788,500.00
XII	Masonry NC I	ACMI Office System Philippines, Incorporated	Php1,317,730.00



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XIII	Plaster Concrete / Masonry Surface (Leading to Masonry NC II)	ACMI Office System Philippines, Incorporated	Php896,730.00
XIV	Install Precast Balusters and Handrail (Leading to Masonry NC II)	ACMI Office System Philippines, Incorporated	Php526,250.00
XV	Tile Setting NC II	ACMI Office System Philippines, Incorporated	Php2,264,390.00
XVI	Pipefitting NC II	ACMI Office System Philippines, Incorporated	Php1,762,350.00
XVII	Construction Painting NC	ACMI Office System Philippines, Incorporated	Php440,000.00
XVIII	Shielded Metal Arc Welding (SMAW) NC I	ACMI Office System Philippines, Incorporated	Php34,929,600.00
XIX	Service Consumer Electronic Products and Systems (Assembly of Solar Nightlight and Post Lamp)	ACMI Office System Philippines, Incorporated	Php3,404,600.00
XX	Raise Poultry (Leading to Animal Production NC II)	ACMI Office System Philippines, Incorporated	Php2,830,150.00
XXII	Raise Small Ruminants (Leading to Animal Production NC II)	Welcome Export, Incorporated	Php350,455.00



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XXIII	Produce Organic Concoction and Extracts (Leading to Agriculture Production NC II)	ACMI Office System Philippines, Incorporated	Php289,800.00
XXV	Hilot Wellness Massage NC II	Welcome Export, Incorporated	Php3,508,831.32
XXVI	Perform Hair Coloring Bleaching Services (Leading to Hairdressing NC II)	ACMI Office System Philippines, Incorporated	Php78,200.00
XXVII	Perform Perming / Straightening (Leading to Hairdressing NC II)	ACMI Office System Philippines, Incorporated	Php258,440.00
XXVIII	Perform Haircutting Services (Leading to Hairdressing NC II)	Ronan Trading	Php2,421,519.00
XXIX	Perform Manicure and Pedicure (Leading to Beauty Care NC II)	ACMI Office System Philippines, Incorporated	Php1,921,570.00
XXX	Perform Body Massage (Leading to Beauty Care NC II)	Welcome Export, Incorporated	Php1,177,240.83
XXXI	Perform Body Scrub (Leading to Beauty Care NC II)	Welcome Export, Incorporated	Php239,624.28
XXXII	Perform Foot Spa (Leading to Beauty Care NC II)	ACMI Office System Philippines, Incorporated	Php506,920.00
XXXIV	Dressmaking NC II	ACMI Office System Philippines, Incorporated	Php17,462,476.80



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XXXVI	Service Automotive Battery (Leading to Automotive Servicing NC I)	ACMI Office System Philippines, Incorporated	Php1,000,000.00
XXXVII	Service Automotive Electrical (Leading to Automotive Servicing NC II)	ACMI Office System Philippines, Incorporated	Php2,684,000.00
XXXVIII	Service Ignition System (Leading to Automotive Servicing NC I)	ACMI Office System Philippines, Incorporated	Php664,000.00
XXXIX	Test and Repair Wiring/Lighting System Servicing (Leading to Automotive Servicing NC I)	ACMI Office System Philippines, Incorporated	Php2,172,000.00
XL	Perform Underchasis Preventive Maintenance (Leading to Automotive Servicing NC II)	Welcome Export, Incorporated	Php442,045.00
XLI	Service Engine Mechanical Components (Leading to Automotive Serving NC II)	ACMI Office System Philippines, Incorporated	Php2,172,880.00
XLII	Service Power Train Components (Leading to Automotive Serving NC II)	ACMI Office System Philippines, Incorporated	Php184,800.00



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XLIII	Perform Preventive Maintenance on Motorcycle and Electrical Systems (Leading to Motorcycle / Small Engine Servicing NC II)	Welcome Export, Incorporated	Php2,386,230.00
XLIV	Service Small Engine System And Components (Leading To Motorcycle/Small Engine Servicing NC II)	Welcome Export, Incorporated	Php787,710.00
XLV	Maintain and Repair Audio / Video Products and Systems (Leading to Consumer Electronics Servicing NC II)	ACMI Office System Philippines, Incorporated	Php3,576,525.00
XLVI	Maintain and Repair Electronically-Controlled Domestic Appliances (Leading to Consumer Electronics Servicing NC II)	ACMI Office System Philippines, Incorporated	Php7,967,415.00
XLVII	Maintain and Repair Cellular Phones (Leading to Consumer Electronics NC II)	ACMI Office System Philippines, Incorporated	Php6,819,550.00
XLVIII	Service and Maintain Transport Airconditioning Unit (Leading to Transport RAC Servicing NC II)	Welcome Export, Incorporated	Php186,400.00



TECHNICAL EDUCATION AND SKILLS DEVELOPMENT AUTHORITY East Service Road, South Superhighway, Taguig, Metro Manila

91st TESDA BOARD MEETING

16 June 2015, Tuesday, 2:00 p.m.

7th Floor TESDA Board Room, Office of the Chair Taguig, Metro Manila

Resolution No. 2015-01

(Page 34 of 35 pages)

APPROVING THE AWARD OF CONTRACTS TO ACMI OFFICE SYSTEM PHILIPPINES, INCORPORATED, RONAN TRADING AND WELCOME EXPORT, INCORPORATED FOR THE PROCUREMENT OF STARTER TOOLKITS FOR THE SPECIAL TRAINING FOR EMPLOYMENT PROGRAM (STEP) - PHASE II

XLIX	Troubleshoot and Repair Transport Air-Conditioning System (Leading to Transport RAC Servicing NC II)	ACMI Office System Philippines, Incorporated	Php432,250.00
L	RAC Servicing (Dom/RAC) NC II	ACMI Office System Philippines, Incorporated	Php2,138,500.00

BE IT RESOLVED FURTHER, that the Board declares the failure of bidding in Lot XXI (Raise Swine [Leading to Animal Production NC II]), Lot XXIV (Produce Organic Vegetable [Leading to Organic Agriculture Production NC II]), Lot XXXIII (Perform Facial Make-Up [Leading to Beauty Care NC II]) and Lot XXXV (Perform Diesel/Gas Engine Tune Up [Leading to Automotive Servicing NC I]) and directs the TESDA Secretariat to conduct a re-bidding on the foregoing lots/qualifications in accordance with Republic Act No. 9184 and its Revised Implementing Rules and Regulations;

BE IT RESOLVED FURTHER, that the Board authorizes the Director General to sign the terms and conditions of the contracts for and in behalf of the TESDA Board pertaining to the forty-six (46) lots/qualifications that have been approved to be awarded by the Board to the respective bidders. The contracts shall be awarded respectively and the implementation thereof shall proceed despite the failure of bidding on the four (4) lots/qualifications identified in this Resolution;

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BE IT RESOLVED FINALLY, that copy of this Resolution shall be disseminated to all concerned.

Approved this 16th day of June 2015.

RINALYN B. DUMOL TESDA Board Secretary

Attested by:

SEC. EMMANUEL DEL J. VILLANUEVA

Alternate Chair, TE\$DA Board

Director General, Technical Education and Skills Development Authority