



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. 12-2016

**RECOMMENDING THE APPROVAL OF THE AWARD OF CONTRACT TO
ACMI OFFICE SYSTEM PHILIPPINES, INCORPORATED FOR THE
PROCUREMENT OF CMU BOXES, TOOLS AND EQUIPMENT AND MOCK-
UPS FOR THE MOBILE TRAINING LABORATORIES (MTLs)**

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 CMU Boxes, Tools and Equipment and Mock-ups for the Mobile Training Laboratories (MTLs), the Director General created a Technical Working Group (TWG) that will identify the requirements for the implementation of Mobile Training Laboratories (MTLs) which shall necessarily include the identification of the qualifications and corresponding tools and equipment that will be covered by Mobile Training Laboratories (MTLs). The TWG came out with the list of qualifications with corresponding tools and equipment in close coordination with the TESDA Regional Offices. Copies of TESDA Order No. 19, Series of 2015, issued on 21 January 2015, TESDA Order No. 19-A, Series of 2015, issued on 04 February 2015, TESDA Order No. 19-B, Series of 2015, issued on 02 March 2015 and TESDA Order No. 19-C, Series of 2015, issued on 05 October 2015, respectively, are hereto attached as Annexes "A", "B", "C" and "D", respectively;

WHEREAS, the TESDA intends to apply the sum of Thirty Seven Million One Hundred Eighty Five Thousand One Hundred Forty Four Pesos and 048 Centavos (Php37,185,144.048) being the total Approved Budget for the Contract (ABC) for the procurement of CMU Boxes, Tools and Equipment and Mock-ups for the Mobile Training Laboratories (MTLs) per Terms of Reference (TOR) duly approved by the Director General. Copies of the Terms of Reference (TOR) and Obligation Request (OBR) duly approved by the Director General are hereto attached as Annexes "E" and "F", respectively;

WHEREAS, the BAC upon receipt of the TOR for the procurement of CMU Boxes, Tools and Equipment and Mock-ups for the Mobile Training Laboratories (MTLs) convened on 05 April 2016 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 "G";

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WHEREAS, the issues, concerns and clarifications of the end-users during the pre-procurement conference had been addressed to by the BAC through the issuance of Bid Bulletin No. 01 dated 11 April 2016. Copy of the Bid Bulletin is hereto attached as Annex "H";

WHEREAS, pursuant to Section 21 of the Revised Implementing Rules and Regulations of Republic Act No. 9184, TESDA advertised on 08 April 2016 the Invitation to Bid for the procurement of CMU Boxes, Tools and Equipment and Mock-ups for the Mobile Training Laboratories (MTLs) in a newspaper of general circulation and posted the same in the PhilGEPS on 08 April 2016. Copies of which are hereto attached as Annexes "I" and "J", respectively;

WHEREAS, responding to the abovementioned Invitation to Bid, only ACMI Office System Philippines, Incorporated signified its interest to participate in said bidding process by purchasing bidding documents. A copy of the official receipt for the purchase of bidding documents is hereto attached as Annex "K";

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 CMU Boxes, Tools and Equipment and Mock-ups for the Mobile Training Laboratories (MTLs) 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 19 April 2016 and the bid opening on 06 May 2016. Copies of the letters to observers are hereto attached as Annexes "L", "M", "N", "O", "P", "Q" and "R", respectively;

WHEREAS, the pre-bid conference was held on 19 April 2016 at 2:15 p.m. at the CSA Conference Room, 2nd Floor, TESDA Administration Building, Taguig City. A copy of the Minutes of the Meeting is hereto attached as Annex "S";

WHEREAS, the issues and concerns of the bidder present during the pre-bid conference had been addressed to by the BAC through the issuance of Bid Bulletin No. 02 dated 19 April 2016. Copy of the Bid Bulletin is hereto attached as Annex "T";

WHEREAS, the bid opening was held on 06 May 2016 at 2:15 p.m. located at the CSA Conference Room, 2nd Floor, TESDA Administration Building, Taguig City. A copy of the Minutes of the Meeting is hereto attached as Annex "U";

WHEREAS, for Lot 1 –Common Box for Multimedia Equipment & Accessories and Mock-up, Lot 2 –Appliance Repair NC II with Toolbox, Lot 3 –Bread and Pastry NC II, Lot 4 –Cookery NC II with Plastic Box, Lot 5 –Electrical Installation and Maintenance NC II with Toolbox, Lot 6 –Food Processing NC II with Plastic Box, Lot 7 –Plumbing NC II and Lot 8 – Small Engine Repair (Motorcycle/Small Engine Servicing NC II) with Toolbox, ACMI Office System Philippines, Incorporated failed to comply with the requirement that the prospective bidder must have a completed contract similar to the contract to be bid pursuant to Section 23.5.1.3 of the Revised Implementing Rules and Regulations of Republic Act No. 9184;

WHEREAS, the second envelope containing the financial component of the bid was not opened pertaining to Lots 1 to 8 of ACMI Office System Philippines, Incorporated. In these lots, the ACMI Office System Philippines, Incorporated was

held ineligible to bid for its failure to comply with eligibility requirement on similar contract. Copies of the Eligibility Requirements Checklist and Abstract of Bids are hereto attached as Annexes "V" and "W", respectively;

WHEREAS, ACMI Office System Philippines, Incorporated pursuant to Section 55.1 of Rule XVII (Protest Mechanism) of the Revised Implementing Rules and Regulations of Republic Act No. 9184, has been given a period of three (3) calendar days to file its request for reconsideration with the BAC pertinent to Lots 1 to 8;

WHEREAS, ACMI Office System Philippines, Incorporated did not file its request for reconsideration of the decision of the BAC to hold it ineligible to bid in Lots 1 to 8 and the period to file a request for reconsideration had already lapsed;

WHEREAS, accordingly, a Technical Evaluation Group (TEG) was created to assist the BAC in evaluating the eligibility, technical and financial requirements submitted by ACMI Office System Philippines, Incorporated during the bid opening. A copy of the BAC Order No. 06, Series of 2016, issued on 06 May 2016 is hereto attached as Annex "X";

WHEREAS, since the bidding is done by lot, the BAC shall evaluate the bid offer of the participating bidder by lot;

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 and Trust Company for the validation of the bank guarantee submitted by ACMI Office System Philippines, Incorporated and to the Accounts Receivable Monitoring Division of the Bureau Internal Revenue (BIR) for the validation of the tax clearances issued by said office to ACMI Office System Philippines, Incorporated. Copies of the letters are hereto attached as Annexes "Y" and "Z", respectively;

WHEREAS, the abovementioned companies/offices had issued their respective confirmation letters regarding the documents submitted by ACMI Office System Philippines, Incorporated for the procurement of CMU Boxes, Tools and Equipment and Mock-ups for the Mobile Training Laboratories (MTLs). Copies of the confirmation letters of the Metropolitan Bank and Trust Company and Accounts Receivable Monitoring Division of the Bureau Internal Revenue (BIR) are hereto attached as Annexes "AA", and "BB", respectively;

WHEREAS, pursuant to Section 25.2.a (iv) (7) 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), Social Security System (SSS), Philippine Health Insurance Corporation (PhilHealth), Pag-IBIG Fund and National Labor Relations Commission (NLRC). 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, ACMI Office System Philippines, Incorporated 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 Section III of Bid Date Sheet, Clause 5.1 (4), page 32 of the bidding documents. Copy of the foregoing certificate is hereto attached as Annex "CC";

WHEREAS, ACMI Office System Philippines, Incorporated submitted a certification from National Labor Relations Commission (NLRC) certifying that it has no pending case before said office. Copy of the certificate issued by NLRC is hereto attached as Annex "DD";

WHEREAS, ACMI Office System Philippines, Incorporated submitted a clearance certifying that ACMI Office System Philippines, Incorporated has remitted the contribution of its employees from June 1998 to March 2016 and has no pending case with Social Security System (SSS). Copy of the certificate issued by SSS is hereto attached as Annex "EE";

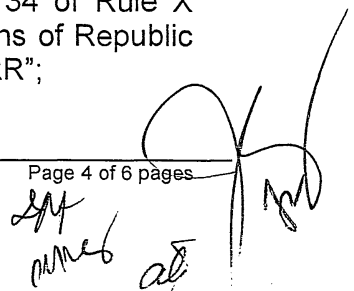
WHEREAS, ACMI Office System Philippines, Incorporated submitted a certification from Philippine Health Insurance Corporation (PhilHealth) that it has remitted premium contributions of its employees from January 2009 to February 2016. Copy of the certificate issued by PhilHealth is hereto attached as Annex "FF";

WHEREAS, ACMI Office System Philippines, Incorporated submitted a certification that it has remitted contributions of its employees from August 1998 to January 2016 and has no pending case with Pag-IBIG Fund. Copy of the certificate issued by Pag-IBIG is hereto attached as Annex "GG";

WHEREAS, the Chairperson of the TEG issued letters to Department of Labor and Employment (DOLE), Social Security System (SSS), Philippine Health Insurance Corporation (PhilHealth), Pag-IBIG Fund and National Labor Relations Commission (NLRC) for the validation of the documents issued by said offices to ACMI Office System Philippines, Incorporated. Copies of the documents are hereto attached as Annexes "HH", "II", "JJ", "KK" and "LL",

WHEREAS, the abovementioned government agencies had issued their respective confirmation regarding the clearances/certifications submitted by ACMI Office System Philippines, Incorporated for the procurement of additional TESDA vehicles. Copies of the confirmation of the Department of Labor and Employment (DOLE), Social Security System (SSS), Philippine Health Insurance Corporation (PhilHealth), Pag-IBIG Fund and National Labor Relations Commission (NLRC) are hereto attached as Annexes "MM", "NN", "OO", "PP" and "QQ", respectively;

WHEREAS, the TEG in its report found the bid offered by ACMI Office System Philippines, 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. A copy of the TEG report is hereto attached as Annex "RR";



WHEREAS, on the basis of the TEG report, there were items offered by ACMI Office System Philippines, Incorporated which were found to be compliant with the requirements of the agency. However, the cost of each item as offered by the bidders reached beyond fifteen percent (15%) of the agency estimate for such items while 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. A detailed presentation of the costing is hereto attached as Annex "SS";

BIDDER: ACMI OFFICE SYSTEM PHILIPPINES, INCORPORATED

Lot	Item	More than 15%
Lot 16 – Electrical Installation and Maintenance Mock-up	Convenience outlet, universal type	15.042%
Lot 18 – Small Engine Repair Tools and Equipment Mock-up	3/16" diameter x 3/4" stove bolt, stainless	19.617%

WHEREAS, pursuant to Section 36 (a) of the Revised Implementing Rules and Regulations of Republic Act No. 9184, if after advertisement, only one prospective bidder applies for eligibility check, meets the requirements and submits a bid which is found to be responsive to the bidding requirements, its bid is considered a Single Calculated and Responsive Bid;

WHEREAS, ACMI Office System Philippines, Incorporated 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 ACMI Office System Philippines, Incorporated to be the Single Calculated and Responsive Bid;

NOW, THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED, to recommend the award of the contract to ACMI Office System Philippines, Incorporated considering that its bid had been found to be the Single Calculated and Responsive Bid for the procurement of CMU Boxes, Tools and Equipment and Mock-ups for the Mobile Training Laboratories (MTLs) on a per lot basis as follows:

LOT NO.	QUALIFICATION	AMOUNT OF BID
9	Appliance Repair NC II Tools and Equipment (for training purposes)	Php3,950,000.00
10	Bread and Pastry NC II Tools and Equipment (for training purposes)	Php5,402,340.00
11	Cookery NC II Tools and Equipment (for training purposes)	Php3,248,960.00
12	Electrical Installation and Maintenance NC II Tools and Equipment (for training purposes)	Php4,569,300.00
13	Food Processing NC II Tools and Equipment (for training purposes)	Php2,674,740.00

LOT NO.	QUALIFICATION	AMOUNT OF BID
14	Plumbing NC II Tools and Equipment (for training purposes)	Php5,552,400.00
15	Small Engine Repair (Motorcycle/Small Engine Servicing NC II) Tools and Equipment (for training purposes)	Php4,591,000.00
16	Electrical Installation and Maintenance NC II Mock-up	Php558,450.00
17	Plumbing NC II Mock-up	Php131,600.00
18	Small Engine Repair (Motorcycle/Small Engine Servicing NC II) Tools and Equipment Mock-up	Php310,300.00

Resolved this 2nd day of June, 2016.


FRANCISCO B. JUCAR, JR.
 BAC Chairperson


IMELDA B. TAGANAS
 BAC Vice Chairperson


ATTY. IMELDA T. ONG
 BAC Member



AVA HEIDI V. DELA TORRE
 BAC Member


ANNABELLE T. QUIMBO
 BAC Member

Approved (if less than 5 Million)

Disapproved (if less than 5 Million)

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


SEC. IRENE M. ISAAC
 Director General