



BIDS AND AWARDS COMMITTEE
(CENTRAL OFFICE)

RESOLUTION NO. 16-2020

RECOMMENDING THE AWARD OF CONTRACT TO VARIANCE SECURITY AGENCY CORPORATION FOR THE PROVISION OF SECURITY SERVICES REQUIREMENTS FOR THE TESDA CENTRAL OFFICE FOR FY 2020 - REBIDDING

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, the BAC declared a first failure of bidding for the Provision of Security Services Requirements for the TESDA Central Office for FY 2020 pursuant to BAC Resolution No. 31-2019 dated 18 December 2019. A copy of said BAC Resolution is hereto attached as Annex "A";

WHEREAS, pursuant to Section 35.2 and 35.3 of the 2016 Revised Implementing Rules and Regulations (RIRR) of RA 9184 in order to determine the reason for the failed bidding, the BAC shall conduct a mandatory review and evaluation of the terms, conditions, and specifications in the Bidding Documents, including its cost estimates. Based on its findings, the BAC shall revise the terms, conditions, and specifications, and if necessary, adjust the Approved Budget for the Contract (ABC), subject to the required approvals, and conduct a rebidding with re-advertisement and/or posting, as provided for in Section 21.2 of the 2016 RIRR of RA 9184;

WHEREAS, in its meeting on 15 January 2020, the BAC and the TWG conducted a mandatory review and evaluation of the terms, conditions, and specifications in the Bidding Documents. A copy of the Minutes of Meeting is hereto attached as Annex "B";

WHEREAS, the BAC convened on 1 June 2020 and 4 June 2020 to conduct the pre-procurement conferences with the end-user's representative in accordance with Section 20 of the RIRR of RA 9184. The copies of the Minutes of the Meeting are hereto attached as Annexes "C" and "D", respectively;

BAC Resolution No. 16-2020

WHEREAS, the BAC Chairperson created a Technical Working Group (TWG) for the Provision of Security Services Requirements for the TESDA Central Office for FY 2020 - Rebidding that shall assist the BAC in the review of the technical specifications, scope of work, and terms of reference, review of bidding documents, evaluation of bids, post-qualification and resolution of request for reconsideration. A copy of the BAC Order No. 2, Series of 2020, issued on 4 June 2020 is hereto attached as Annex "E";

WHEREAS, the Technical Education and Skills Development Authority (TESDA) intends to apply the sum of Nine Million Eight Hundred Seventy-Four Thousand Two Hundred Ninety-Two Pesos (₱9,874,292.00) as the Approved Budget for the Contract (ABC) for the Provision of Security Services Requirements for the TESDA Central Office for FY 2020 - Rebidding. Copies of the Purchase Request (PR), Terms of Reference (TOR) and Certificate as to Availability of Funds (CAF) are hereto attached as Annexes "F", "G" and "H", respectively;

WHEREAS, pursuant to Section 13 of RIRR of RA 9184, the BAC invited the Commission on Audit (COA) and four (4) other observers registered with the Securities and Exchange Commission (SEC) to witness the bidding activities on 16 June 2020, 30 June 2020 and 1 July 2020 particularly on the Provision of Security Services Requirements for the TESDA Central Office for FY 2020 - Rebidding for purposes of transparency and good governance. The copies of the letters to observers are hereto attached as Annexes "I", "J", "K", "L" and "M", respectively;

WHEREAS, pursuant to Section 21 of the RIRR of RA 9184, TESDA advertised the Invitation to Bid (ITB) for the Provision of Security Services Requirements for the TESDA Central Office for FY 2020 - Rebidding in the websites of the Philippine Government Electronic Procurement System (PhilGEPS) and TESDA and posted the same at the bulletin board near TESDA Gate 1 on 8 June 2020. The proof of posting of the ITB is hereto attached as Annexes "N", "O" and "P", respectively;

WHEREAS, responding to the abovementioned Invitation to Bid, only Variance Security Agency Corporation 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 "Q";

WHEREAS, the pre-bid conference was held on 16 June 2020 AS Conference Room located at the 2nd Floor, TESDA Administration Building in Taguig City. Likewise, the minutes of the meeting was posted at the website of TESDA on 16 June 2020 in compliance with Section 22.4 of the 2016 RIRR of RA 9184 and Government Procurement Policy Board (GPPB) Resolution No. 03-2018 dated 09 March 2018. Copies of which are hereto attached as Annexes "R" and "S", respectively;

WHEREAS, the BAC issued its first bid bulletin stating the qualification that the Security Agency must have Certificate of Not Being Blacklisted by PNP-SOSIA and of No Pending Labor-related Case as evidenced by any proof/document issued by the concerned government agency is no longer required. A copy of Bid Bulletin No. 01 dated 19 June 2020 and proof of posting of said document in the websites of PhilGEPS and TESDA, and bulletin board near TESDA Gate 1 is hereto attached as Annex "T";

WHEREAS, the bid opening was held on 30 June 2020 at the AS 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 "U";

WHEREAS, pursuant to Section 30.1 of the RIRR of RA 9184, the BAC shall check the submitted documents of each bidder against a checklist of required documents to ascertain if they are all present, using a non-discretionary "pass/fail" criterion. If a bidder submits the required document, it shall be rated "passed" for that particular requirement. In this regard, bids that fail to include any requirement or are incomplete or patently insufficient shall be considered as "failed." Otherwise, the BAC shall rate the said first bid envelope as "passed";

WHEREAS, Variance Security Agency Corporation passed the eligibility requirements pursuant to Sections 23 and 25 of the RIRR of RA 9184. A copy of the Eligibility Requirements Checklist and Abstract of Bids are hereto attached as Annexes "V" and "W", respectively;

WHEREAS, the BAC evaluated the financial component of the bids to determine the Lowest Calculated Bid pursuant to Section 32.2 of the RIRR of RA 9184. During the bid evaluation on 1 July 2020, there was a discrepancy between the submitted bid price and the calculated bid price of Variance Security Agency Corporation amounting to Nine Million Eight Hundred Thirteen Thousand Ninety-Five Pesos and 72/100 (₱9,813,095.72) and Nine Million Eight Hundred Forty-Four Thousand Four Hundred Sixty-Five Pesos and 58/100 (₱9,844,465.58), respectively. A copy of the bid evaluation report is hereto attached as Annex "X";

WHEREAS, pursuant to Section 34.2 of the 2016 RIRR of RA 9184, a Notice of Single Calculated Bid (SCB) dated 1 July 2020 was issued to Variance Security Agency Corporation. Said bidder was required to submit the documents stated in the Instruction to Bidders (ITB) Clause 29.2 of the Bid Data Sheet of the Bidding Documents in certified as true copy/ies from the original by the authorized representative for purposes of post-qualification within five (5) calendar days from receipt by the bidder of the notice from the BAC that the bidder is the Single Calculated Bid. A copy of the Notice of SCB dated 1 July 2020 which was received by Variance Security Agency Corporation on 1 July 2020 is hereto attached as Annexes "Y" and "Z", respectively;

WHEREAS, Variance Security Agency Corporation submitted the documentary requirements stated in the Notice of SCB on 6 July 2020;

WHEREAS, given the Bid Evaluation was done on 1 July 2020 and pursuant to Section 34.8 of the 2016 RIRR of RA 9184, the BAC has only twelve (12) calendar days or until 13 July 2020 to complete the post-qualification process. The post-qualification entails verification, validation, and ascertainment of all statements made on the documents submitted by the bidder with the SCB as stated in the Bidding Documents. Also, the TWG has to verify/check the performance of the bidders relative to their previous contracts with the government and/or private entities;

WHEREAS, considering that the BAC only received the post-qualification documents of the SCB last 6 July 2020, the BAC requested for the extension of the period within which to complete the post-qualification process for the Provision of Security Services Requirements for the TESDA Central Office for FY 2020 - Rebidding until 20 July 2020. A copy of the approved memorandum dated 9 July 2020 for the Director General from the BAC is hereto attached as Annex "AA";

WHEREAS, pursuant to Section 13 of RIRR of RA 9184, the BAC invited COA and four (4) other observers registered with SEC to witness the presentation of the Post-Qualification Report of the TWG on 15 July 2020 for the Provision of Security Services Requirements for the TESDA Central Office for FY 2020 - Rebidding for purposes of transparency and good governance. The copies of the letters to observers are hereto attached as Annexes "BB", "CC", "DD", "EE" and "FF", respectively;

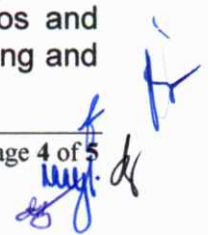
WHEREAS, upon careful examination, validation and verification of all the technical and financial proposals submitted by Variance Security Agency Corporation, the TWG in its report found the bid offered by Variance Security Agency Corporation to be compliant with the requirements set forth by the agency pursuant to Section 34 of Rule X (Post-Qualification) of the RIRR of RA 9184. A copy of the Post-Qualification Report is hereto attached as Annex "GG";

WHEREAS, in its meeting on 15 July 2020, the Post-Qualification Report of the TWG on the technical and financial proposals submitted by Variance Security Agency Corporation was presented to the BAC;

WHEREAS, pursuant to Section 34.4 of the RIRR of RA 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. In this regard, the submitted bid price of said bidder amounting to Nine Million Eight Hundred Thirteen Thousand Ninety-Five Pesos and 72/100 (₱9,813,095.72) is lower than the calculated bid price amounting to Nine Million Eight Hundred Forty-Four Thousand Four Hundred Sixty-Five Pesos and 58/100 (₱9,844,465.58);

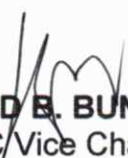
WHEREAS, pursuant to Section and 36 (a) of the RIRR of RA 9184, Variance Security Agency Corporation was found to have met all the eligibility requirements prescribed by the agency and its bid has been found to be responsive to the bidding requirements. Hence, the BAC finds the bid of Variance Security Agency Corporation 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 Variance Security Agency Corporation as the bidder with a Single Calculated and Responsive Bid for the Provision of Security Services Requirements for the TESDA Central Office for FY 2020 - Rebidding in the amount of Nine Million Eight Hundred Thirteen Thousand Ninety-Five Pesos and 72/100 (₱9,813,095.72) subject to procurement law and government accounting and auditing rules and regulations.



Resolved this 15th day of July, 2020 at TESDA, Taguig City, Metro Manila.


LINA C. SARMIENTO
BAC Chairperson


DAVID B. BUNGALLON
BAC Vice Chairperson


MA. MAGDALENA P. BUTAD
BAC Member


ATTY. MARICHELLE D. DE GUZMAN
BAC Member


RENATO L. GERON
BAC Member

-absent-
ADZHAR A. ALBANI
BAC Provisional Member


ARMELA B. GUTIERREZ
BAC Provisional Member

Approved

Disapproved


SEC. ISIDRO S LAPEÑA, PhD, CSEE
Director General