



BIDS AND AWARDS COMMITTEE
(CENTRAL OFFICE)

RESOLUTION NO. 34-2021

**RECOMMENDING THE AWARD OF CONTRACT TO PETRON CORPORATION FOR THE
PROCUREMENT OF FUEL AND LUBRICANTS (GASOLINE AND DIESEL) THROUGH
FUEL CARD SYSTEM FOR THE TESDA CENTRAL OFFICE SERVICE VEHICLES FOR
FY 2021**

WHEREAS, the Bids and Awards Committee (BAC), as mandated by Republic Act (RA) 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 reference to Section 11.2 of the 2016 Revised Implementing Rules and Regulations (RIRR) of Republic Act (RA) No. 9184, the Director General as the Head of Procuring Entity (HoPE) designated an officer who has technical expertise relevant to the procurement at hand and a representative from the end-user or implementing unit as provisional members of the BAC for the Procurement of Fuel and Lubricants (Gasoline and Diesel) through Fuel Card System for the TESDA Central Office Service Vehicles for FY 2021. A copy of TESDA Order No. 133, Series of 2020, dated 20 February 2020 is hereto attached as Annex "A";

WHEREAS, the Technical Education and Skills Development Authority (TESDA) intends to apply the sum of Five Million Six Hundred Sixty-One Thousand Six Hundred Seventy-One Pesos and 62/100 (₱5,661,671.62) for the Procurement of Fuel and Lubricants (Gasoline and Diesel) through Fuel Card System for the TESDA Central Office Service Vehicles for FY 2021. Copies of the Terms of Reference (TOR) and the Purchase Request (PR) are hereto attached as Annexes "B" and "C", respectively;

WHEREAS, pursuant to Section 20 of the RIRR of RA 9184, the BAC conducted a pre-procurement conference with the end-user's representative on 16 December 2020 through Video Conferencing, via Zoom Application. A copy of the Minutes of the Meeting is hereto attached as Annex "D";

WHEREAS, the BAC Chairperson created a Technical Working Group (TWG) for the Procurement of Fuel and Lubricants (Gasoline and Diesel) through Fuel Card System for the TESDA Central Office Service Vehicles for FY 2021 that shall assist the BAC in the evaluation of bids, post-qualification and resolution of request for reconsideration. A copy of the BAC Order No. 04, Series of 2021, issued on 05 January 2021 is hereto attached as Annex "E";

WHEREAS, pursuant to Section 13 of RIRR of RA 9184, the BAC invited the Commission on Audit (COA) and five (5) other observers registered with the Securities and Exchange Commission (SEC) to witness the bidding activities particularly on the Procurement of Fuel and Lubricants (Gasoline and Diesel) through Fuel Card System for the TESDA Central Office Service Vehicles for FY 2021 for purposes of transparency and good governance. The copies of the letters to the COA and other observers dated 7 January 2021 are hereto attached as Annexes "F", "G", "H", "I", "J" and "K", respectively;

WHEREAS, pursuant to Section 21 of the RIRR of RA 9184, TESDA advertised the Invitation to Bid (ITB) for the Procurement of Fuel and Lubricants (Gasoline and Diesel) through Fuel Card System for the TESDA Central Office Service Vehicles for FY 2021 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 7 January 2021. Copies of the proof of postings are hereto attached as Annexes "L", "M" and "N", respectively;

WHEREAS, responding to the abovementioned Invitation to Bid, only Petron 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 document is hereto attached as Annex "O";

WHEREAS, the pre-bid conference was held on 19 January 2021 through Video conferencing, via Zoom application. Likewise, the Minutes of the Meeting was posted at the website of TESDA on 19 January 2021 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. A copy of the minutes of meeting is hereto attached as Annex "P" while the proof of posting of the minutes of meeting is hereto attached as Annex "Q";

WHEREAS, the BAC issued its first bid bulletin providing the clarifications in the Bidding Documents on the Fuel Cards under Section VI- Schedule of Requirements and Section VII- Technical Requirements. A copy of Bid Bulletin No. 01 dated 21 January 2021 is hereto attached as Annex "R";

WHEREAS, the bid opening was held on 02 February 2021 at the Gregoria De Jesus Room, TESDA Women's Center, Gate 1, TESDA Complex, Building 2, East Service Road, South Luzon Expressway (SLEX), Fort Bonifacio, Taguig City. A copy of the Minutes of the Meeting is hereto attached as Annex "S";

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, Petron Corporation passed the eligibility requirements pursuant to Sections 23 and 25 of the RIRR of RA 9184. Copies of the Eligibility Requirements Checklist and Abstract of Bids are hereto attached as Annexes "T" and "U" respectively;

WHEREAS, the BAC evaluated the financial component of the bids to determine the Single Calculated Bid pursuant to Section 32.2 of the RIRR of RA 9184. A copy of the bid evaluation report is hereto attached Annex "V";

WHEREAS, pursuant to Section 34.2 of the 2016 RIRR of RA 9184, the Bid Evaluation was done on 2 February 2021 and a Notice of Single Calculated Bid (SCB) was issued on the same day to Petron Corporation. Said bidder was required to submit the documents stated in the Instruction to Bidders (ITB) Clause 20.1 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 2 February 2021 which was received by Petron Corporation on 3 February 2021 is hereto attached as Annex "W";

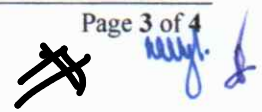
WHEREAS, Petron Corporation submitted the documentary requirements stated in the Notice of SCB on 5 February 2021;

WHEREAS, given the Bid Evaluation was done on 2 February 2021 and pursuant to Section 34.8 of the 2016 RIRR of RA 9184, the BAC has only twelve (12) calendar days or until 14 February 2021 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 the previous contracts with the government and or private entities;

WHEREAS, considering that the BAC only received the post-qualification documents of the SCB last 5 February 2021, the BAC requested for the extension of the period within which to complete the post-qualification process for the Procurement of Fuel and Lubricants (Gasoline and Diesel) through Fuel Card System for the TESDA Central Office Service Vehicles for FY 2021 until 28 February 2021. A copy of the approved memorandum dated 22 February 2021 for the Director General from the BAC is hereto attached as Annex "X";

WHEREAS, pursuant to Section 13 of RIRR of Republic Act No. 9184, the BAC invited COA and five (5) other observers registered with SEC to witness the presentation of the Post-Qualification Report of the TWG on 23 February 2021 for the Procurement of Fuel and Lubricants (Gasoline and Diesel) through Fuel Card System for the TESDA Central Office Service Vehicles for FY 2021 for purposes of transparency and good governance. The copies of the letters to observers are hereto attached as Annexes "Y", "Z", "AA", "BB", "CC" and "DD", respectively;

WHEREAS, upon careful examination, validation and verification of all the technical and financial proposals submitted by Petron Corporation, The TWG in its report found the bid offered by Petron 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 Republic Act No. 9184. A copy of the Post-Qualification Report is hereto attached as Annex "EE";



WHEREAS, pursuant to Section 36(a) of the RIRR of Republic Act No.9184, Petron 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 Petron 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 Petron Corporation as the bidder with a Single Calculated and Responsive Bid for the Procurement of Fuel and Lubricants (Gasoline and Diesel) through Fuel Card System for the TESDA Central Office Service Vehicles for FY 2021 in the amount of Five Million Six Hundred Sixty-One Thousand Four Hundred Thirty-Six Pesos and 06/100 (₱5,661,436.06) subject to procurement law and government accounting and auditing rules and regulations.


Signed this **23rd day** of **February**, 2021 at TESDA, Taguig City, Metro Manila.


LINA C. SARMIENTO
BAC Chairperson


DAVID B. BUNGALLON
BAC Vice Chairperson

- absent -
ATTY. MARICHELLE D. DE GUZMAN
BAC Member


MA. MAGDALENA P. BUTAD
BAC Member


ARTEMIO C. DEL ROSARIO, JR.
BAC Member

- absent -
ADZHAR A. ALBANI
BAC Provisional Member


ARMELA B. GUTIERREZ
BAC Provisional Member

Approved

Disapproved


SEC. ISIDRO S LAPENA, PhD, CSEE
Director General