



Republic of the Philippines
OFFICE OF THE OMBUDSMAN
Ombudsman Building, Agham Road, Diliman, Quezon City

BIDS AND AWARDS COMMITTEE - MAIN
RESOLUTION NO. 07-003 (PB) s. 2021

**RE: AWARD FOR THE PUBLIC BIDDING OF ONE UNIT EACH
BRAND NEW 4x2 SPORT UTILITY VEHICLE AND DOUBLE CAB
4x4 AT PICKUP TRUCK FOR THE OFFICE OF THE OMBUDSMAN
(PB 2021-03-A and PB 2021-03-B)**

WHEREAS, the Office of the Ombudsman has programmed the procurement of Vehicles (APP Code: 2021APP-109) with an Approved Budget for the Contract (ABC) of Eight Million Four Hundred Thousand Pesos (₱ 8,400,000.00);

WHEREAS, Purchase Request (PR) No. PU-21-03-022 with a total Approved Budget for the Contract (ABC) of Five Million Pesos (₱ 5,000,000.00) for the procurement of “One Unit Each Brand New 4x2 Sport Utility Vehicle and Double Cab 4x4 AT Pickup” for the use of the Office of the Ombudsman, was approved;

WHEREAS, the Bids and Awards Committee (BAC) – Main, in an approved BAC Memorandum dated 28 April 2021, was authorized to conduct its procurement through Public Bidding¹ in accordance with the provisions of the 2016 Revised Implementing Rules and Regulations of Republic Act No. 9184;

WHEREAS, on 07 June 2021, the Invitation to Bid (ITB) for PB 2021-03: Public Bidding of One Unit Each Brand New 4x2 Sport Utility Vehicle and Double Cab 4x4 AT Pickup Truck for the Office of the Ombudsman was posted at the PhilGEPS website, Ombudsman website and in the Office of the Ombudsman’s Bulletin Board;

WHEREAS, Letters of Invitation for the Pre-Bid Conference, Opening of Bids, Bid Evaluation and Post-Qualification were sent to and received by the following Witnesses and Observers:

- a. Hon. Warren Rex H. Liong (Overall Deputy Ombudsman, OODO)
- b. Assistant Ombudsman Pilarita T. Lapitan (OMB-Proper)
- c. Mr. Crisanto S. Frianeza (Secretary General, Phil. Chamber of Commerce and Industry)
- d. Mr. Paterno Menzon (Co-Chairman, Coalition Against Corruption – Bishops Business Conference – Laiko (Government Procurement Monitoring Committee))
- e. Mr. Joey I. Bernardino (State Auditor IV, Audit Team Leader, COA)
- f. Mr. Nolasco B. Ducay (OMBEA Representative)

WHEREAS, for the period 07 June 2021 to 29 June 2021, two (2) prospective bidders² purchased the bidding documents;

¹ The TWG recommended the breakdown into two (2) lots, to wit: Lot 1 = One (1) Unit Brand New 4x2 Sport Utility Vehicle (PB 2021-03-A) with an ABC of Php 2,250,000.00 and Lot 2 = One (1) Unit Brand New Double Cab 4x4 AT Pickup Truck (PB 2021-03-B) with an ABC of Php 2,200,000.00.

² Matterhorn Motor Inc. (MATTERHORN) and Toyota Pasong Tamo, Inc. (TOYOTA)

-----x

WHEREAS, on 17 June 2021 at 1:30 p.m. a Pre-Bid Conference³ was conducted online via Microsoft Teams Application with the BAC-Main, Technical Working Group (TWG), three (3) prospective bidders and witnesses/observers in attendance;

WHEREAS, on 22 June 2021, Supplemental / Bid Bulletin No. 1⁴ was issued providing for the amendments to the Bidding documents;

WHEREAS, on 29 June 2021, two (2) bidders⁵ submitted their bids before the 2:00 p.m. deadline and on 01 July 2021 at 1:30 p.m. the BAC-Main conducted the Opening of Bids⁶ through Microsoft Teams Application;

WHEREAS, after the conduct of eligibility check and evaluation of the submitted bids,⁷ the BAC-Main with the recommendation of the TWG, rated MATTERHORN MOTOR INC. (Matterhorn) as “PASSED” in all the eligibility requirements and declared it as “ELIGIBLE” to participate further in the opening of bids;

WHEREAS, TOYOTA PASONG TAMO INC. (TOYOTA) was declared as “INELIGIBLE” to participate further in the opening of bids for being rated as “failed” due to its failure to check all the “comply” boxes in Ombudsman Bid Form No. 1A (Technical Proposal for Lot 1);

WHEREAS, TOYOTA filed a Letter-Request for Reconsideration⁸ dated 02 July 2021 and in an Order⁹ dated 06 July 2021, the BAC-Main denied its request for reconsideration on the grounds that Toyota’s Ombudsman Bid Form No. 1A was incomplete/patently insufficient due to the absence of the required check marks in the “Comply” boxes for each technical specification, and that Toyota’s second Ombudsman Bid Form No. 1A bearing the required check marks in the “Comply” boxes for each technical specification is akin to a prohibited bid modification since it was tendered after the deadline for the submission and receipt of bids;

WHEREAS, after the Opening of Bids, on even date, a Bid Evaluation¹⁰ was conducted to further evaluate the completeness of the bids and arithmetical calculations of the submitted Financial Components (Envelope No. 2) of the eligible bidder, viz:

NAME OF BIDDER	Lot 1	Lot 2
MATTERHORN MOTOR INC.	<u>P 2,158,785.00</u> <i>“Single Calculated Bid”</i>	<u>P2,161,995.00</u> <i>“Single Calculated Bid”</i>
TOYOTA PASONG TAMO, INC.	Ineligible	No bid

WHEREAS, on 13 July 2021, a Notice of Post Qualification¹¹ was issued and MATTERHORN was required to submit within five (5) days from receipt of the said

³ Annex “A” Minutes of the Pre-Bid Conference

⁴ Posted at the PhilGEPS, OMB Website and Bulletin Board on 22 June 2021

⁵ MATTERHORN (29 June 2021 at 12:54 p.m.) and TOYOTA (29 June 2021, at 12:59 p.m.)

⁶ Annex “B” Minutes of the Opening of Bids

⁷ Annex “C” Summary of the Opening of Bids

⁸ Annex “D” Letter-request for Reconsideration

⁹ Annex “E” Order issued by the BAC

¹⁰ Annex “F” Summary of the Bid Evaluation

¹¹ Notice of Post Qualification dated 13 July 2021

notice the original copies and certified true copies of the required documents to the TWG/BAC during the post-qualification proceedings;

WHEREAS, the TWG conducted the necessary post-qualification proceedings pursuant to the Notice of Post-Qualification. After validation and verification, the TWG determined that MATTERHORN¹² satisfactorily presented the documents required of them, complied with the Office's technical specifications and are responsive to all the legal requirements and conditions for eligibility, thus, recommended the award of contract to MATTERHORN;

NOW, THEREFORE, the undersigned members of the Bids and Awards Committee hereby **RESOLVE** and **RECOMMEND** the **award of contract** to **MATTERHORN MOTOR, INC.** for tendering the Single Calculated and Responsive Bid for Lot 1 in the amount of ₱ **2,158,785.00** and the Single Calculated and Responsive Bid for Lot 2 in the amount of ₱ **2,161,995.00**, subject to the posting of a bond to guarantee performance.

SO RESOLVED.

22 July 2021, Quezon City, Philippines.

BIDS AND AWARDS COMMITTEE – MAIN


CORINNE JOIE M. GARILLO
Member


CHRISTIAN L. TARCE
Member


RICHARD E. VALLEJO
Member


JULIEVER ROQUE LAMUG
Member


NELLIE P. BOGUEN-GOLEZ
Member

ADORIE T. CORNITO
Vice-Chairperson


ADORACION A. AGBADA
Chairperson

RECOMMENDING APPROVAL:

CERTIFIED FUNDS AVAILABLE:


WEOMARK RYAN G. LAYSON
Assistant Ombudsman, FMIO


LEILANIE BERNADETTE C. CABRAS
Assistant Ombudsman, GAO



¹² TWG Post-Qualification Report on PB 2021-03 dated 19 July 2021

x-----x

The dispositive portion reads thus:

“NOW, THEREFORE, the undersigned members of the Bids and Awards Committee hereby **RESOLVE** and **RECOMMEND** the **award of contract** to **MATTERHORN MOTOR, INC.** for tendering the Single Calculated and Responsive Bid for Lot 1 in the amount of **₱ 2,158,785.00** and the Single Calculated and Responsive Bid for Lot 2 in the amount of **₱2,161,995.00**, subject to the posting of a bond to guarantee performance.

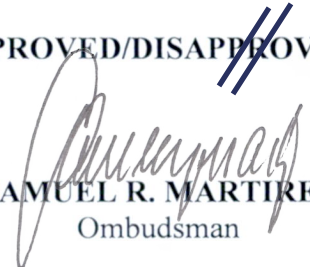
SO RESOLVED.”

RECOMMENDING APPROVAL:



WARREN REX H. LIONG
Overall Deputy Ombudsman

APPROVED/DISAPPROVED:



SAMUEL R. MARTIRES
Ombudsman

