



Republic of the Philippines
OFFICE OF THE OMBUDSMAN
Bids and Awards Committee - Main
Agham Road, Diliman, Quezon City

BIDS AND AWARDS COMMITTEE - MAIN
RESOLUTION NO. 2-02-001 (PB) s. 2022
RE: AWARD FOR THE PUBLIC BIDDING OF ONE (1) UNIT
FULLY-AUTOMATED CHEMISTRY ANALYZER FOR THE
OFFICE OF THE OMBUDSMAN
(PB 2021-2-09)

WHEREAS, the Office of the Ombudsman has programmed the procurement of one (1) unit Fully-Automated Chemistry Analyzer (APP Code: 2021APP-206) with an Approved Budget for the Contract (ABC) of Two Million Pesos (₱ 2,000,000.00);

WHEREAS, Purchase Request (PR) No. PU-21-06-188¹ with an Approved Budget for the Contract (ABC) of One Million Five Hundred Thousand Pesos (₱ 1,500,000.00) for the procurement of "One (1) Unit Fully-Automated Chemistry Analyzer" for the use of the Office of the Ombudsman, was approved;

WHEREAS, the Bids and Awards Committee-Main (BAC-Main), in an approved Memorandum dated 28 July 2021,² was authorized to conduct its procurement through Public Bidding in accordance with the provisions of the 2016 Revised Implementing Rules and Regulations (RIRR) of Republic Act (RA) No. 9184;

WHEREAS, the BAC-Main constituted a Technical Working Group (TWG) to "*assist the BAC in the preparation/determination of the appropriate specifications and eligibility requirements*" for the said procurement project;³

WHEREAS, a BAC/TWG Meeting, through videoconferencing,⁴ was conducted on 27 September 2021 which was attended by the Chairperson and Members of the BAC-Main, Chairperson and Members of the TWG and the BAC Secretariat;

WHEREAS, in a Memorandum dated 15 October 2021,⁵ the BAC-Main, thru the technical assistance of the TWG, recommended to the Head of the Procuring Entity (HoPE) the technical specifications and the ABC in the amount of ₱ 1,500,000.00;

WHEREAS, a Pre-Procurement Conference, through videoconferencing,⁶ was conducted on 25 November 2021 which was attended by the Chairperson and Members of the BAC-Main, Chairperson and Members of the TWG and the BAC Secretariat;

WHEREAS, on 29 November 2021, the Invitation to Bid (ITB) for PB 2021-2-09: Public Bidding of One (1) Unit Fully-Automated Chemistry Analyzer for the Office of the

¹ Purchase Request dated 15 March 2021 received on 29 June 2021

² Approved RFA-21-2-031 received on 11 August 2021

³ Designation to Constitute as Chairperson and Members of the TWG for the Public Bidding of 1 Unit Chemistry Analyzer for the Office of the Ombudsman (PB 2021-2-09) dated 11 August 2021.

⁴ Through Microsoft Teams Application which started at 1:00 pm.

⁵ The Memorandum included the projects for the procurement of Pneumococcal and Influenza Vaccines, however, only the procurement of the Chemistry Analyzer was approved by the Overall Deputy Ombudsman per Memorandum dated 22 November 2021, citing the Memorandum dated 03 November 2021 of Justice Samuel R. Martires holding in abeyance the processing of certain procurement projects, including that of Pneumococcal and Influenza Vaccines.

⁶ Through Microsoft Teams Application which started at 1:00 pm.

Ombudsman was posted at the PhilGEPS and Ombudsman websites and the BAC 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, on 07 December 2021 at 1:30 p.m. a Pre-Bid Conference⁷ was conducted online via Microsoft Teams Application with the BAC-Main, Technical Working Group (TWG), BAC Secretariat, three (3) prospective bidders⁸ and witnesses/observers in attendance;

WHEREAS, on 10 December 2021, Supplemental / Bid Bulletin No. 1⁹ was issued providing for the amendments to the bidding documents;

WHEREAS, for the period 29 November 2021 to 20 December 2021, three (3) bidders purchased¹⁰ the bidding documents and all three (3) submitted¹¹ their respective bids before the 2:00 p.m. deadline on 20 December 2021;

WHEREAS, on 22 December 2021 at 1:30 p.m., the BAC-Main conducted the Opening of Bids¹² through Microsoft Teams Application;

WHEREAS, after the conduct of eligibility check and evaluation of the submitted bids,¹³ the BAC-Main with the recommendation of the TWG, rated BIOCARE HEALTH RESOURCES, INC. (BIOCARE), MRL CYBERTEC CORPORATION (MRL) and P.T. CERNA CORPORATION (P.T. CERNA) as “PASSED” in all the eligibility requirements and declared them as “ELIGIBLE” to participate further in the opening of bids;

WHEREAS, after the Opening of Bids,¹⁴ on even date, a Bid Evaluation¹⁵ was conducted to further evaluate the completeness of the bids and arithmetical calculations of the submitted Financial Components (Envelope No. 2) of the eligible bidders, viz:

	NAME OF BIDDER	Financial Bid	Ranking	Remarks
1	BIOCARE HEALTH RESOURCES, INC.	<u>₱ 1,212,000.00</u> /	<u>1</u>	<i>“Lowest Calculated Bid”</i>

⁷ Annex “A” Minutes of the Pre-Bid Conference

⁸ 1) Biocare Health Resources Inc., 2) P.T. Cerna Corporation; and, 3) Juniper 3 Procurement Corp.

⁹ Posted at the PhilGEPS website, OMB Website and OMB Bulletin Board on 10 December 2021.

¹⁰ 1) Biocare Health Resources Inc., 2) P.T. Cerna Corporation; and, 3) MRL Cybertec Corp.

¹¹ 1) Biocare Health Resources Inc., - submitted on 20 Dec. 2021, 9:30 a.m.; 2) MRL Cybertec Corp. – submitted on 20 December 2021, 12:29 p.m.; and, 3) P.T. Cerna Corporation – submitted on 20 December 2021, 1:53 p.m.

¹² Annex “B” Minutes of the Opening of Bids

¹³ Annex “C” Summary of the Opening of Bids

¹⁴ Annex “D” Abstract of the Opening of Bids

¹⁵ Annex “E” Summary of the Bid Evaluation

2	MRL CYBERTEC CORPORATION	₱ 1,500,000.00	3	"3 rd Lowest Calculated Bid"
3	P.T. CERNA CORPORATION	₱ 1,395,000.00	2	"2 nd Lowest Calculated Bid"

WHEREAS, the BAC-Main issued a Notice of Post Qualification dated 06 January 2022 to BIOCARE for the conduct of Post Qualification activities on 14 January 2022, however, the activity was held in abeyance until further notice due to the physical closure of the Office of the Ombudsman in Quezon City until 28 January 2022;

WHEREAS, on 04 February 2022, a Notice of Post Qualification was issued and BIOCARE was required to submit on 09 February 2022 the original copies and certified true copies of the required documents to the TWG/BAC during the post-qualification proceedings and the conduct of actual inspection and demonstration of the machine offered. Witnesses and Observers were likewise invited to attend the said activity;

WHEREAS, during the post-qualification proceeding on 09 February 2022 and after validation, verification and determination that BIOCARE¹⁶ 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; further, the actual testing of the machine yielded a positive result, especially in terms of the turnaround time to complete the entire process which includes the printing and release of test results which may be completed in only about four (4) hours using the new chemical analyzer, the TWG recommends the award of contract to BIOCARE;

NOW, THEREFORE, the undersigned members of the Bids and Awards Committee-Main hereby **RESOLVE** and **RECOMMEND** the **award of contract** to **BIOCARE HEALTH RESOURCES, INC.** for tendering the Lowest Calculated and Responsive Bid for PB 2021-2-09: Public Bidding of One (1) unit Fully-Automated Chemistry Analyzer for the Office of the Ombudsman, in the amount of **One Million Two Hundred Twelve Thousand Pesos (₱ 1,212,000.00)**, subject to the posting of a bond to guarantee performance.

SO RESOLVED.

11 February 2022, Quezon City, Philippines.


CORINNE JOIE M. GARILLO
 Member


CHRISTIAN L. TARCE
 Member


RICHARD D. VALLEJO
 Member


JULIEVER ROQUE LAMUG
 Member


NELLIE P. BOGUEN-GOLEZ
 Member


ADORIE T. CORNITO
 Vice-Chairperson

¹⁶ TWG Post-Qualification Report on PB 2021-2-09 dated 11 February 2022

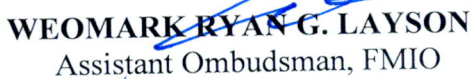
The dispositive portion reads thus:

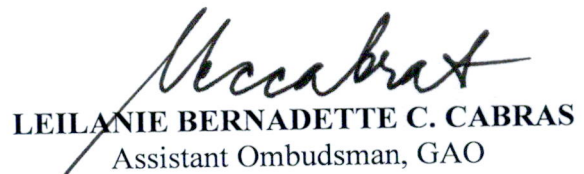
“NOW, THEREFORE, the undersigned members of the Bids and Awards Committee-Main hereby RESOLVE and RECOMMEND the award of contract to BIOCARE HEALTH RESOURCES, INC. for tendering the Lowest Calculated and Responsive Bid for PB 2021-2-09: Public Bidding of One (1) unit Fully-Automated Chemistry Analyzer for the Office of the Ombudsman, in the amount of One Million Two Hundred Twelve Thousand Pesos (₱ 1,212,000.00), subject to the posting of a bond to guarantee performance.

SO RESOLVED.”


ADORACION A. AGBADA
Chairperson

RECOMMENDING APPROVAL:


WEOMARK RYAN G. LAYSON
Assistant Ombudsman, FMIO


LEILANIE BERNADETTE C. CABRAS
Assistant Ombudsman, GAO

APPROVED / DISAPPROVED:


WARREN REX H. LIONG
Overall Deputy Ombudsman 