



Republic of the Philippines
OFFICE OF THE OMBUDSMAN
Bids and Awards Committee – Main
Agham Road, Diliman, Quezon City 1105

BIDS AND AWARDS COMMITTEE - MAIN
RESOLUTION NO. PB-22-1-04, series of 2022

RE: AWARD OF CONTRACT FOR THE RE-BIDDING FOR THE SUPPLY AND DELIVERY OF THE AIR PURIFIER OF THE OFFICE OF THE OMBUDSMAN (PB 2022-1-04)

WHEREAS, the Office of the Ombudsman has programmed the procurement of Air Purifiers for the Office of the Ombudsman (APP Code: 2021APP-204) with a total Approved Budget for the Contract (ABC) of One Million One Hundred Thousand Pesos (PhP1,100,000.00) and Purchase Request (PR) No. PU-21-03-066 for the said procurement was approved;

WHEREAS, the Bids and Awards Committee – Main (BAC-Main), in an approved Memorandum dated 12 October 2021, was authorized to conduct its procurement through Public Bidding with a total ABC of One Million Ninety-Five Thousand Pesos (PhP1,095,000.00) in accordance with the provisions of the 2016 Revised Implementing Rules and Regulations (RIRR) of Republic Act (RA) No. 9184;

WHEREAS, the BAC-Main conducted its first Public Bidding of the above-mentioned project on 22 December 2021;

WHEREAS, RA No. 11640¹ extends the availability of the 2021 Appropriation to December 31, 2022. Further, Department of Budget and Management (DBM) National Budget Circular No. 587, Section 3.5², states that the appropriation items authorized under RA No. 11518 for maintenance and other operating expenses as well as for capital outlay are valid for release, obligation and disbursement until December 31, 2022;

WHEREAS, the BAC-Main in its Resolution No. PB 22-1-03³ dated 28 June 2022 approved by the Honorable Ombudsman Samuel R. Martires resolved and recommended the following:

1. To recommend to the Head of the Procuring Entity that the bidding for the Supply and Delivery of the Air Purifiers for the Office of the Ombudsman (PB 2021-05) be declared a “failure” pursuant to Section 35.1(a) of the 2016 RIRR of RA 9184;
2. To approve the additional funds in the amount of **FIVE HUNDRED FORTY-TWO THOUSAND TWO HUNDRED TWENTY-THREE PESOS (PhP542,223.00)**; and
3. To conduct a rebidding with re-advertisement and re-posting as provided for in Section 21.2 of the 2016 RIRR of RA 9184 and pursuant to RA 11640 and DBM National Budget Circular No. 587.

WHEREAS, from 16 August 2022 to 05 September 2022, the Invitation to Bid for PB 2022-1-04: Re-bidding of Supply and Delivery of the Air Purifiers for the Office of the Ombudsman with total amount of ABC of One Million Six Hundred Forty-Two Thousand Two

¹ “An Act extending the Availability of the 2021 Appropriation to December 31, 2022, amending for the purpose Section 62 of the General Provisions of Republic Act No. 11518, the General Appropriation Act of Fiscal Year 2021,” <https://www.officialgazette.gov.ph/downloads/2021/12dec/20211230-RA-11640-RRD.pdf>

² Dated January 3, 2022, <https://www.dbm.gov.ph/wp-content/uploads/Issuances/2022/National-Budget-Circular/NATIONAL-BUDGET-CIRCULAR-NO-587.pdf>

³ Annex “A” - Approved BAC-Main Resolution No. PB 22-1-03



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Hundred Twenty-Three Pesos (PhP1,642,223.00) was re-posted and re-advertised in the PhilGEPS and Ombudsman websites, 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- Qualification⁴ were sent to and received by the following witnesses and observers:

- a. Hon. Warren Rex H. Liong (Overall Deputy Ombudsman, OMB);
- b. Assistant Ombudsman Pilarita T. Lapitan (OMB-Proper);
- c. Mr. Paterno Menzon (Co-Chairperson, Bishops Business Conference-Laiko);
- d. Mr. Crisanto S. Frianeza (Secretary General, Philippine Chamber of Commerce & Industry);
- e. Mr. Joey I. Bernardino (OIC-Supervising Auditor, COA); and
- f. Mr. Nolasco B. Ducay (President, OMBEA).

WHEREAS, on 05 April 2022 at 1:30 p.m. a Pre-Bid Conference was conducted online using Zoom Application, with BAC-Main, Technical Working Group (TWG) and four (4) prospective bidders in attendance;⁵

WHEREAS, for the period 16 August 2022 to 05 September 2022, two (2) bidders purchased the bidding documents for Lots 1, 2, 3, and 4 and submitted their bids before the 2:00 p.m. deadline on 05 September 2022;

WHEREAS, on 06 September 2022 at 1:30 p.m., the Opening of Bids was conducted online using Zoom Application, with the BAC-Main, TWG, BAC Secretariat-Main, two (2) Bidders, Witnesses and Observers in attendance;⁶

WHEREAS, after the conduct of eligibility check and evaluation of the submitted bid through the assistance of the TWG, the BAC-Main rated **ASX TRADING** and **IMSD GLOBAL ENTERPRISES INC.** as "**PASSED**" in all of the eligibility requirements and declared them as "**ELIGIBLE**" to participate further in the opening of bids.⁷ Consequently, the BAC-Main read and recorded their bids as follows:

Name of the Bidder	Total Bid Amount as Read	Remarks
ASX TRADING	Lot 1 – PhP149,500.00 Lot 2 – PhP333,500.00 Lot 3 – PhP157,500.00 Lot 4 – PhP68,000.00	Passed and Eligible
IMS GLOBAL ENTERPRISES INC.	Lot 1 – PhP187,141.50 Lot 2 – PhP475,996.50 Lot 3 – PhP279,965.00 Lot 4 – PhP99,9990.00	Passed and Eligible

WHEREAS, BAC-Main with the assistance of the TWG, conducted the detailed evaluation of the above-mentioned bids immediately after the opening of bids to determine the completeness of the bid and arithmetical calculations of the submitted Financial Proposal (Envelope No. 2), which resulted⁸ in the following bids as calculated:

⁴ Annex "B" – Letters of Invitations to Witness and Observers

⁵ Annex "C" – Minutes of the Pre-Bid Conference.

⁶ Annex "D" – Minutes of the Opening of Bids and Bid Evaluation

⁷ Annex "E" – Summary of Opening of Bids and Bid Evaluation

⁸ Annex "F" – Abstract of Bids

Name of the Bidder	Total Bid Amount as Calculated	Ranking
ASX TRADING	Lot 1 – PhP149,422.00 (calculated) Lot 2 – PhP333,500.00 Lot 3 – PhP157,500.00 Lot 4 – PhP68,000.00	Lot 1 – 1st LOWEST CALCULATED Lot 2 – 1st LOWEST CALCULATED Lot 3 – 1st LOWEST CALCULATED Lot 4 – 1st LOWEST CALCULATED
IMS GLOBAL ENTERPRISES INC.	Lot 1 – PhP187,141.50 Lot 2 – PhP475,996.50 Lot 3 – PhP279,965.00 Lot 4 – PhP99,9990.00	Lot 1 – 2nd Lowest Calculated Lot 2 – 2nd Lowest Calculated Lot 3 – 2nd Lowest Calculated Lot 4 – 2nd Lowest Calculated

WHEREAS, the TWG conducted the post-qualification proceedings on 13 September 2022,⁹ and after validation and verification, determined that **ASX TRADING** satisfactorily presented the required documents, complied with the OMB technical specifications and responsive to all legal requirements and conditions for eligibility. The TWG thus recommended that the contract be awarded to **ASX TRADING**;¹⁰

NOW, THEREFORE, the undersigned members of the Bids and Awards Committee - Main hereby **RESOLVE** and **RECOMMEND** to award the contract for the Supply and Delivery of the Air Purifiers for the Office of the Ombudsman in the amount of **Seven Hundred Eight Thousand Four Hundred Twenty-Two Pesos (PhP708,422.00)** to **ASX TRADING**, it having tendered the **Lowest Calculated and Responsive Bid**.

SO RESOLVED.

07 October 2022, Quezon City, Philippines.

BIDS AND AWARDS COMMITTEE – MAIN

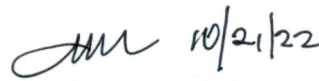

CORINNE JOIE M. GARILLO
 Member


JENNY CERA-BAYANGOS
 Member


ZARNETTE E. SANCEDA
 Member


LORENZO G. VERGARA
 Member


NELLIE P. BOGUEN-GOLEZ
 Member


ADORIE T. CORNITO
 Vice-Chairperson

⁹ Annex "G" – Notices of Post-Qualifications
¹⁰ Annex "H" – TWG Post-Qualification Report

The dispositive portion reads as thus:

“NOW, THEREFORE, the undersigned members of the Bids and Awards Committee hereby RESOLVE and RECOMMEND to award the contract for the Supply and Delivery of the Air Purifiers for the Office of the Ombudsman in the amount of Seven Hundred Eight Thousand Four Hundred Twenty-Two Pesos (PhP708,422.00) to ASX TRADING, it having tendered the Lowest Calculated and Responsive Bid.

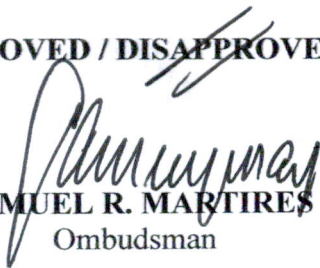
SO RESOLVED.”


ADORACION A. AGBADA
Chairperson

RECOMMENDING APPROVAL:


WARREN REX H. LIONG
Overall Deputy Ombudsman

APPROVED / DISAPPROVED:


SAMUEL R. MARTIRES
Ombudsman