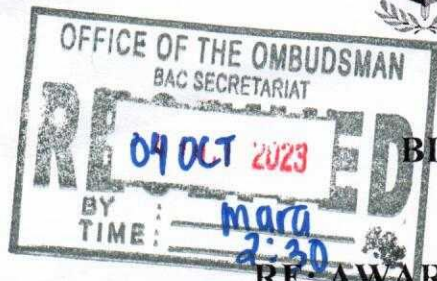




Republic of the Philippines  
**OFFICE OF THE OMBUDSMAN**  
**Bids and Awards Committee – Main**  
Ombudsman Building, Agham Road, Diliman, Quezon City



**BIDS AND AWARDS COMMITTEE - MAIN**  
**RESOLUTION NO. PB-23-04, s. 2023**

**RE: AWARD ON THE RE-BIDDING FOR THE SUPPLY AND  
DELIVERY OF TWELVE (12) UNITS AUTOMATED EXTERNAL  
DEFIBRILLATOR  
(PB 2023-10)**

**WHEREAS**, the Office of the Ombudsman has programmed and approved Purchase Request (PR) No. PU-23-02-036<sup>1</sup> for the procurement of the “Supply and Delivery of Twelve (12) Units Automated External Defibrillator” (APP Code: 2023APP-115)<sup>2</sup> with an Approved Budget for the Contract (ABC) in the total amount of One Million Nine Hundred Eighty Thousand Pesos (P 1,980,000.00);

**WHEREAS**, the Bids and Awards Committee-Main (BAC-Main), in an approved Memorandum dated 07 March 2023, was authorized to conduct its procurement through Public Bidding in accordance with the Updated 2016 Revised Implementing Rules and Regulations (RIRR) of Republic Act (RA) No. 9184;

**WHEREAS**, the Head of the Procuring Entity (HoPE), upon the recommendation of the BAC-Main and the TWG,<sup>3</sup> approved the technical specifications and total ABC of this procurement project at P1,980,000.00;

**WHEREAS**, the BAC-Main conducted the first Public Bidding for the “Supply and Delivery of Twelve (12) Units Automated External Defibrillator” (PB 2023-04) on 27 June 2023. However, no bids were received resulting to a failure of bidding pursuant to Section 35.1.a of the Updated 2016 RIRR;

**WHEREAS**, after the conduct of a mandatory review of the terms, conditions and specifications of the project, the BAC was authorized by the HoPE to conduct a re-bidding using the revised technical specifications;<sup>4</sup>

**WHEREAS**, on 03 August 2023, the Invitation to Bid (ITB) for PB 2023-10: Re-bidding for the Supply and Delivery of Twelve (12) Units Automated External Defibrillator was posted on the PhilGEPS website, Ombudsman website and OMB 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:

- a. Deputy Ombudsman Dante F. Vargas (OIC, ODO for Finance and Administrative Matters, OODO, Office of the Ombudsman)
- b. Assistant Ombudsman Pilarita T. Lapitan (OMB-Proper)
- c. Mr. Ruben J. Pascual (Secretary General, Phil. Chamber of Commerce and Industry)

<sup>1</sup> ABC of Php 1,980,000.00

<sup>2</sup> Total ABC per Annual Procurement Plan CY 2023 for 12 units Automated external defibrillator is Php 1,980,000.00

<sup>3</sup> Per Memorandum dated 08 May 2023, received on 29 May 2023

<sup>4</sup> Approved BAC Resolution No. PB-23-03, s. 2023 dated 06 July 2023



- d. Mr. Paterno Menzon (Co-Chairman, Coalition Against Corruption – Bishops Business Conference – Laiko (Government Procurement Monitoring Committee))
- e. Auditor Teresita S. Miguel (Supervising Auditor, COA)
- f. Ms. Joanna Mae E. Alberto (President, OMB Employees' Association)

**WHEREAS**, a Notice was issued by the BAC-Main which was posted on the PhilGEPS, Ombudsman and BAC Bulletin Board on 09 August 2023 regarding the Change of Virtual/Online Meeting Platform of the Office of the Ombudsman BAC-Main;

**WHEREAS**, on 10 August 2023 at 1:30 p.m. a Pre-Bid Conference<sup>5</sup> was conducted via Google Meet with the BAC-Main, TWG, witnesses/observers and four (4) prospective bidders in attendance;

**WHEREAS**, Supplemental/Bid Bulletin No. 1 and Notice of Postponement providing for the Amendments/Clarifications to the Bidding Documents and Postponement/Rescheduling of Bidding Schedules were issued on 17 August 2023. The Deadline of Submission and Opening of Bids were rescheduled to 29 August 2023, 2:00 p.m. and 30 August 2023, 1:30 p.m., respectively. Consequently, the selling period of bidding documents was adjusted until 29 August 2023;<sup>6</sup>

**WHEREAS**, from the period 03 August 2023 to 29 August 2023, three (3) bidders<sup>7</sup> purchased the bidding documents and two (2)<sup>8</sup> of them submitted their bids before the 2:00 p.m. deadline on 29 August 2023;

**WHEREAS**, the Opening of Bids<sup>9</sup> was conducted on 30 August 2023 at 1:30 p.m., with the BAC-Main, bidders and observers attending via Google Meet, and with the BAC Secretariat and TWG in physical attendance;

**WHEREAS**, after the conduct of eligibility check and evaluation of the submitted bids,<sup>10</sup> the BAC-Main, upon the recommendation of the TWG, rated the first bidder, UNDECIM MEDICAL SUPPLIES (UNDECIM), as "INELIGIBLE" to participate further in the Opening of Bids due to its submission of a defective notarized Special Power of Attorney (SPA), a document which is an integral part of the Omnibus Sworn Statement (OSS). The BAC apprised the bidder's representative of the reason of its ineligibility and further notified its remedy to file for a Request / Motion for Reconsideration within three (3) calendar days;

**WHEREAS**, considering the ineligibility of the first bidder, the BAC-Main, upon the recommendation of the TWG, rated the second bidder, DEFENSE TECHNOLOGIES INC. (DEFENSE) as "PASSED" in all the eligibility requirements and declared it as "ELIGIBLE" to participate further in the Opening of Bids;

**WHEREAS**, immediately after the Opening of Bids,<sup>11</sup> a Bid Evaluation<sup>12</sup> was conducted to further evaluate the completeness of the bid and arithmetical calculation of the submitted Financial Components (Envelope No. 2) of the sole eligible bidder. The BAC-Main declared DEFENSE as the Single Calculated Bid (SCB), viz:

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<sup>5</sup> Minutes of the Pre-Bid Conference.

<sup>6</sup> Posted/published on 03 August 2023

<sup>7</sup> (1) Dynamed Healthcare, Inc.; (2) Defense Technologies Inc.; and, Undecim Medical Supplies

<sup>8</sup> (1) Undecim Medical Supplies submitted on 29 August 2023 at 10:00 a.m., and (2) Defense Technologies Inc. submitted on 29 August 2023 at 11:15 a.m.

<sup>9</sup> Annex "B" Minutes of the Opening of Bids.

<sup>10</sup> Annex "C" Summary of the Opening of Bids ✓

<sup>11</sup> Annex "D" Abstract of the Opening of Bids ✓

<sup>12</sup> Annex "E" Summary of the Bid Evaluation ✓



	NAME OF BIDDER	Financial Bid	Ranking	Remarks
1	<u>DEFENSE TECHNOLOGIES, INC.</u>	<u>₱1,470,000.00</u>	<u>1</u>	<i>"Single Calculated Bid"</i>

**WHEREAS**, UNDECIM did not file any Request for Reconsideration within three (3) calendar days from the Opening of Bids after its duly authorized representative had been verbally notified of its ineligibility;

**WHEREAS**, on 04 September 2023, a Notice of Post Qualification was issued and DEFENSE was directed to submit/present, the original copies and certified true copies of the required documents to the TWG/BAC during the post-qualification proceedings which was held on 08 September 2023. Corollary thereto, witnesses and observers were likewise invited to attend the said activity;

**WHEREAS**, the TWG, after a thorough evaluation of the documents presented and finding the results of the verification from the previous and existing clients of DEFENSE to be satisfactory, recommended in its Memorandum dated 13 September 2023, the award of contract to DEFENSE. The TWG noted that the CMDN of DEFENSE as well as its License to Operate issued by the FDA, can be considered the legal equivalent to the BAC's post qualification requirement of a CMDR, which is therefore, deemed substantial compliance to the requirements;<sup>13</sup>

**NOW, THEREFORE**, the undersigned members of the BAC-Main hereby **RESOLVE** and **RECOMMEND** to award the contract to **DEFENSE TECHNOLOGIES, INC.** for tendering the Single Calculated and Responsive Bid for the **Supply and Delivery of Twelve (12) units Automated External Defibrillator** in the amount of **One Million Four Hundred Seventy Thousand Pesos only (₱ 1,470,000.00)**, subject to the posting of a bond to guarantee performance.

**SO RESOLVED.**

19 September 2023, Quezon City, Philippines.

**BIDS AND AWARDS COMMITTEE-MAIN**

 <b>MARIA CRISTINA T. CAUSAPIN</b> Member	 <b>CORINNE JOYE M. GARILLO-ARELLANO</b> Member
 <b>JENNY CERA-BAYANGOS</b> Member	 <b>ZARNETTE E. SANCEDA</b> Member
 <b>LORENZO G. VERGARA</b> Member	 <b>NELLIE P. BOGUEN-GOLEZ</b> Vice-Chairperson

<sup>13</sup> TWG Post-Qualification Report on PB 2023-10 dated 13 September 2023

The dispositive portion reads thus:

***"NOW, THEREFORE, the undersigned members of the BAC-Main hereby RESOLVE and RECOMMEND to award the contract to DEFENSE TECHNOLOGIES, INC. for tendering the Single Calculated and Responsive Bid for the Supply and Delivery of Twelve (12) units Automated External Defibrillator in the amount of One Million Four Hundred Seventy Thousand Pesos only (P 1,470,000.00), subject to the posting of a bond to guarantee performance.***


*For your Honor's consideration."*

  
ADORACION A. AGBADA  
Chairperson


Certified Funds Available:

 9/28/23  
ADORIE T. CORNITO  
OIC, FMIO  
(Office Order No. 258 series of 2023)

RECOMMENDING APPROVAL:

  
CAESAR D. ASUNCION  
Assistant Ombudsman, GAO, PIO I /  
(Office Order No. 123 series of 2023)

APPROVED / ~~DISAPPROVED~~

 10/3/23  
DANTE F. VARGAS  
OIC, Overall Deputy Ombudsman for Finance and Administrative Matters,  
Office of the Overall Deputy Ombudsman  
(Office Order No. 83 series of 2023)