



Republic of the Philippines
OFFICE OF THE OMBUDSMAN
Bids and Awards Committee - GAO
Sen. Miriam P. Defensor-Santiago Avenue (*formerly Agham Road*)
Brgy. Bagong Pag-asa, Diliman, Quezon City 1105

BIDS AND AWARDS COMMITTEE – GAO
RESOLUTION NO. PB-24-04-GAO
01 October 2024

WHEREAS, the Office of the Ombudsman, through the General Appropriations Act for CY 2024, has programmed (APP Code: 2024APP-099) and approved Purchase Request (PR) No. PU-2024-03-009 (GAO) for the procurement through public bidding of two (2) units Brand-new Commuter Van, 3.0 Diesel (PB 2024-08-GAO) at Two Million Pesos (PhP2,000,000.00) per unit with a total Approved Budget for the Contract (ABC) in the amount of Four Million Pesos (PhP4,000,000.00);

WHEREAS, the foregoing procurement is **Lot 2** of two lots (Lot 1 and Lot 2 under PB 2024-02-GAO)¹ which were subject of a failed public bidding on 20 June 2024 because no bidders submitted bids for both lots;

WHEREAS, the Bids and Awards Committee-General Administration Office (BAC-GAO) directed the Technical Working Group-B (TWG-B) to re-evaluate and review the terms, conditions, technical specifications and cost estimates of the bid documents and the units to be procured and to determine the cause/s of the failure of the public bidding pursuant to Sections 35.1 and 35.2 of the 2016 Revised Implementing Rules and Regulations of Republic Act No. 9184;

WHEREAS, after the conduct of the mandatory review, the TWG-B recommended slight modifications of the technical specifications of both lots and the conduct of rebidding;²

WHEREAS, a Pre-Procurement Conference was conducted on 12 July 2024 and was attended by the BAC-GAO, its Secretariat, and TWG-B;

WHEREAS, the Head of the Procuring Entity (HOPE), upon the recommendation of the BAC-GAO and the TWG-B, approved the revised technical specifications and total ABC of the procurement project for Lots 1 and 2 at Five Million Nine Hundred Thousand Pesos (PhP5,900,000.00);³

WHEREAS, on 20 August 2024, the Invitation to Bid (ITB) for PB 2024-08-GAO: Rebidding for the Supply and Delivery of One (1) Unit Multi-Purpose Vehicle and Two (2) Units Commuter Van for the Office of the Ombudsman was posted on the PhilGEPS website, Ombudsman website, and the OMB BAC-GAO 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. Assistant Ombudsman Pilarita T. Lapitan (OMB-Proper)
- b. Representative from the Office of the Overall Deputy Ombudsman
- c. Mr. Crisanto F. Frianeza (Secretary General, Philippine Chamber of Commerce and Industry)

¹ Lot 1 for the supply and delivery of one (1) unit multi-purpose vehicle (MPV) with an approved ABC of One Million Nine Hundred Thousand Pesos (PhP1,900,000.00) as per PR No. PU-2024-03-008 (GAO).

² Copy of TWG-B Amended Memorandum dated 05 July 2024, Annex "A".

³ Copy of BAC-GAO Resolution No. PB 24-01-GAO dated 16 July 2024, Annex "B".

- d. Mr. Paterno Menzon (Co-Chairperson, Coalition Against Corruption – Bishops Business Conference – Laiko [Government Procurement Monitoring Committee])
- e. State Auditor Joey I. Bernardino (OIC-Supervising Auditor, COA)
- f. Ms. Joanna Mae E. Alberto (President, Ombudsman Employees Association)

WHEREAS, a Pre-Bid Conference was conducted on 30 August 2024 at 9:30 a.m. with the BAC-GAO, its Secretariat, TWG-B, witness/observer, and five (5) prospective bidders⁴ in attendance;⁵

WHEREAS, on 30 August 2024, Supplemental Bid Bulletin No. 1 was issued, changing the Procurement Entity’s Representative at the Project Site from Mr. Willy O. Misa to **Mr. Antonio F. Feliciano** and modifying the Delivery period from Ninety (90) calendar days (maximum) upon receipt of the Notice to Proceed to **One Hundred Twenty (120) calendar days (maximum) upon receipt of the Notice to Proceed**, and was posted on the PhilGEPS website, Ombudsman website, and OMB BAC-GAO Bulletin Board;

WHEREAS, from the period 20 August 2024 to 11 September 2024, only one (1) bidder, Nissan Commonwealth, Inc. (Nissan), purchased the bidding documents and submitted its bid for Lot 2 only before the 2:00 p.m. deadline on 11 September 2024. **No bid proposals were submitted for Lot 1;**

WHEREAS, the Opening of Bids was conducted on 12 September 2024 at 9:00 a.m. with the BAC-GAO, its Secretariat, TWG-B, witnesses/observers, and the lone bidder for Lot 2, Nissan, in attendance;⁶

WHEREAS, after the conduct of eligibility check and evaluation of the submitted bid (First Envelope),⁷ the BAC-GAO, upon the recommendation of the TWG-B, rated Nissan as “PASSED” in all its eligibility requirements and declared it “ELIGIBLE” to participate further in the proceedings;

WHEREAS, after evaluation of the financial bid proposal (Second Envelope)⁸ of Nissan in the amount of Three Million Two Hundred Sixty-Eight Thousand Pesos (PhP3,268,000.00), which is below the ABC of Four Million Pesos (PhP4,000,000.00) for Lot 2, the BAC-GAO, upon the recommendation of the TWG-B, rated it as “PASSED”;

WHEREAS, immediately after the Opening of Bids, a Bid Evaluation was conducted to further evaluate the completeness of the bid and arithmetical calculations of the submitted financial component of Nissan, after which the BAC-GAO, upon the recommendation of the TWG-B, declared it as the ***Single Calculated Bid***;

WHEREAS, since there were no bidders for Lot 1, the BAC-GAO declared it as a failed public bidding;

WHEREAS, on 12 September 2024, a Notice of Post Qualification was issued and Nissan was directed to submit/present the original copies and certified true copies of the required documents to the TWG-B during the post-qualification proceedings held on 13 September 2024;⁹

⁴ (1) Toyota Otis, Inc.; (2) Toyota Quezon Avenue; (3) Toyota Pasong Tamo, Inc.; (4) Auto Kid Subic Corporation; and (5) Nissan Commonwealth, Inc.

⁵ Copy of Attendance Sheet for the Pre-Bid Conference, Annex “C”.

⁶ Copy of Attendance Sheet for the Opening of Bids, Annex “D”.

⁷ Copy of Summary of the Opening of Bids, Annex “E”.

⁸ Copy of Summary of the Evaluation of Bids, Annex “F”.

⁹ Copy of Attendance Sheet for the Post Qualification, Annex “G”.

WHEREAS, the TWG-B, in its Memorandum¹⁰ dated 18 September 2024, recommended that Nissan be declared as the bidder with the Single Calculated and Responsive Bid after having passed all the criteria for post qualification;

NOW, THEREFORE, the undersigned members of the **Bids and Awards Committee-GAO** hereby **RESOLVE** and **RECOMMEND** the following:

- (1) To award the contract for **Lot 2 – Rebidding for the Supply and Delivery of Two (2) Units Commuter Van for the Office of the Ombudsman (PB 2024-08-GAO)** to **Nissan Commonwealth, Inc.** for tendering the Single Calculated and Responsive Bid in the amount of **Three Million Two Hundred Sixty-Eight Thousand Pesos (PhP3,268,000.00)**, subject to the posting of a bond to guarantee performance; and
- (2) To declare a Failure of Public Bidding for Lot 1 – Rebidding for the Supply and Delivery of One (1) Unit Multi-Purpose Vehicle (MPV) for the Office of the Ombudsman (PB 2024-08-GAO) and direct the TWG-B to conduct a mandatory review of the project pursuant to Sections 35.1 and 35.2 of the 2016 Revised Implementing Rules and Regulations of Republic Act No. 9184.

SO RESOLVED.

01 October 2024, Quezon City, Philippines.


KAREN S. BATU
Member


JANET C. CABIGAS-VEJERANO
Member


EXPEDITO O. ALLADO, JR.
Member


ALAN R. CAÑARES
Member



MARIA JANINA J. EDALOGO
Member

ON LEAVE
AGNES B. AUTENCIO-DAQUIS
Vice-Chairperson


LEILANIE BERNADETTE C. CABRAS
Chairperson

Approved/~~Disapproved:~~

SAMUEL R. MARTIRES
Ombudsman


DANTE F. VARGAS
Deputy Ombudsman for Visayas /
OIC-Office of the Ombudsman
(Office Order No. 323 S. 2024)
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¹⁰ Copy of TWG-B Post Qualification Report and Recommendation on PB 2024-08-GAO (Lot 2) dated 18 September 2024, Annex "H".