



**BIDS AND AWARDS COMMITTEE - MAIN**  
**RESOLUTION NO. PB-24-12, series of 2024**

**RE: AWARD FOR NEGOTIATED PROCUREMENT (TWO FAILED BIDDINGS) FOR THE SUPPLY, DELIVERY, INSTALLATION, CONFIGURATION, MIGRATION AND TESTING OF HYPERCONVERGED INFRASTRUCTURE AND BACKUP SYSTEM FOR THE OFFICE OF THE OMBUDSMAN (QN 2024-118-OCT)**

**WHEREAS**, the Office of the Ombudsman has programmed and approved Purchase Request (PR) No. PU-24-02-018<sup>1</sup> for the procurement of “Hyperconverged Infrastructure and Enterprise Backup System” (APP Code: 2024APP-034) for the use of the Management Information System Service (MISS) with a total Approved Budget for the Contract (ABC) of Twelve Million Eight Hundred Thousand Pesos (PhP12,800,000.00);

**WHEREAS**, the Bids and Awards Committee-Main (BAC-Main) resorted to public bidding for this procurement in accordance with the Updated 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 in the preparation/determination of the appropriate specifications and eligibility requirements for the said procurement project;<sup>2</sup>

**WHEREAS**, the BAC-Main conducted its first Public Bidding for the Supply, Delivery, Installation, Configuration, Migration and Testing of Hyperconverged Infrastructure and Backup System for the Office of the Ombudsman (PB 2024-04) on 07 May 2024;

**WHEREAS**, during the first Opening of Bids, the BAC-Main declared the bidding a failure pursuant to Section 35.1.a of the Updated 2016 RIRR of RA No. 9184 as no bid was received;

**WHEREAS**, the TWG, in its Memorandum dated 07 June 2024, recommended that a re-bidding be conducted without any revisions as it found the current specifications and ABC appropriate and attributed the lack of bids to the tight timeframe given to prospective bidders to update and submit their bid documents;

**WHEREAS**, consequent to the said TWG Memorandum, the BAC-Main, in its Resolution No. 24-03 s. 2024 dated 07 June 2024 which was approved by the Honorable Ombudsman Samuel R. Martires, resolved and recommended the following:

- 1) To declare a failure of bidding for the Public Bidding for the Supply, Delivery, Installation, Configuration, Migration and Testing of Hyperconverged Infrastructure and Backup System for the Office of the Ombudsman (PB 2024-04) (1<sup>st</sup> Bidding) pursuant to Section 35.1.a of the Updated 2016 RIRR of RA No. 9184;
- 2) To conduct a re-bidding of PB 2024-04 with re-advertisement and/or posting as provided for in Section 21.2 of the Updated 2016 RIRR of RA No. 9184.

**WHEREAS**, the Invitation to Bid (ITB) for Rebidding for the Supply, Delivery, Installation, Configuration, Migration and Testing of Hyperconverged Infrastructure and Backup

<sup>1</sup> Copy of PR is attached, for ready reference.

<sup>2</sup> Memorandum dated 26 February 2024.

System for the Office of the Ombudsman (PB 2024-11) was posted on the PhilGEPS and Office of the Ombudsman (OMB) websites and BAC Bulletin Board on 31 July 2024;

**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 Cornelio L. Somido (Officer-in-Charge, Overall Deputy Ombudsman, OODO for Finance and Administrative Matters);
- b. AO Pilarita T. Lapitan (Assistant Ombudsman, 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 (Supervising Auditor, COA); and
- f. Ms. Joanna Mae E. Alberto (President, OMBEA);

**WHEREAS**, a Pre-Bid Conference was conducted<sup>3</sup> on 08 August 2024 with the BAC-Main, TWG, BAC Secretariat, witnesses/observers, and six (6) prospective bidders in attendance;

**WHEREAS**, on 14 August 2024, Supplemental/Bid Bulletin No. 1 was issued for the Amendments/Clarifications to the Bidding Documents;

**WHEREAS**, no prospective bidder purchased and submitted their bidding documents before the 10:00 a.m. deadline on 22 August 2024;

**WHEREAS**, on 22 August 2024 at 1:30 p.m., the BAC-Main conducted the second Opening of Bids and subsequently declared the second bidding a failure pursuant to Section 35.1.a of the Updated 2016 RIRR of RA No. 9184 as no bid was received;

**WHEREAS**, the BAC-Main further directed the TWG to determine the reasons for the failed bidding, conduct a mandatory review and evaluation of the terms, conditions and specifications of the subject procurement, including its cost estimates pursuant to Section 35.2 of the said RIRR and prepare and submit a report thereon before the BAC-Main conducts a negotiated procurement for the project;

**WHEREAS**, the TWG, in its Memorandum dated 01 October 2024, recommended the revision of the following technical specifications, to wit;

- a) Removal of Uninterruptible Power Supply (UPS) and Data Rack components;
- b) Reduced scalability requirements from 32 nodes to 16 nodes;
- c) Decreased node processor requirements from 2.1GHz to 2.0GHz; and
- d) Reduced Backup System capacity for on-site storage from 24TB to 12TB.

**WHEREAS**, the BAC-Main, in its Resolution No. PB-24-07 (PB) s. 2024 dated 02 October 2024, approved by Deputy Ombudsman Dante F. Vargas, Officer-in-Charge, Ombudsman, resolved and recommended the following: 1) to declare a failure of the Re-Bidding for the Supply, Delivery, Installation, Configuration, Migration and Testing of Hyperconverged Infrastructure and Backup System for the Office of the Ombudsman (PB 2024-11); 2) to adopt the TWG recommendation on the revision of the technical specifications; and 3) to conduct a negotiated procurement with re-advertisement and/or posting as provided for in Section 53.1 of the 2016 RIRR of RA 9184;

**WHEREAS**, on 22 October 2024, the Invitation for the Negotiated Procurement (QN 2024-118-OCT) was posted on the PhilGEPS and Ombudsman websites and OMB Bulletin Board;

**WHEREAS**, Letters of Invitation for the Negotiation Conference, Opening, Evaluation and Post-Qualification of Best and Final Offer were sent to and received by the following

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<sup>3</sup> Meeting is in hybrid format, members of the BAC-Main Secretariat and TWG are physically present at the Hearing Room, Office of the Ombudsman while the other attendees joined the meeting through videoconferencing, MS Teams application.

Witnesses and Observers:

- a. Deputy Ombudsman Cornelio L. Somido (Officer-in-Charge, Overall Deputy Ombudsman, OODO for Finance and Administrative Matters);
- b. AO Pilarita T. Lapitan (Assistant Ombudsman, 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 (Supervising Auditor, COA); and
- f. Ms. Joanna Mae E. Alberto (President, OMBEA);

**WHEREAS**, on 29 October 2024 at 1:30 p.m. a Negotiation Conference<sup>4</sup> was conducted with the BAC-Main, TWG, BAC Secretariat, witnesses/observers, and seven (7) prospective bidders in attendance;

**WHEREAS**, on 04 November 2024, Supplemental Bulletin No. 1 was issued for the Amendments/Clarifications to the Bidding Documents and Updated Schedule of Procurement Activities;<sup>5</sup>

**WHEREAS**, between 22 October 2024 and 06 November 2024, only one (1) bidder<sup>6</sup> submitted its Proposal/Quotation before the 11:00 a.m. deadline on 11 November 2024;

**WHEREAS**, on 11 November 2024 at 1:30 p.m., the BAC-Main conducted the Opening of Proposal/Quotation;<sup>7</sup>

**WHEREAS**, after the conduct of eligibility check and evaluation of the proposal/quotation,<sup>8</sup> the BAC-Main, upon the recommendation of the TWG, rated QUESTECH CO., INC. as “PASSED” in all the eligibility requirements and declared it “ELIGIBLE” to participate further in the opening of the proposal/quotation;

**WHEREAS**, after the Opening of Proposal/Quotation,<sup>9</sup> a Bid/Proposal Evaluation<sup>10</sup> was conducted to further evaluate the completeness of the bid/proposal and arithmetical calculations of the submitted Financial Component (Envelope No. 2) of the eligible supplier, the result of which is as follows:

	NAME OF BIDDER	Proposal/Quotation	Ranking	Remarks
1	<u>QUESTECH CO. INC.</u>	<u>₱12,681,767.96</u>	<u>1</u>	<i>“Single Calculated Proposal”</i>

**WHEREAS**, a Notice of Post Qualification was immediately issued, thereafter, requiring QUESTECH CO. INC. to submit/present on 15 November 2024, the original copies and certified true copies of the required documents to the TWG/BAC during the post-qualification proceeding. Witnesses and Observers were likewise invited to attend the said activity;

**WHEREAS**, during the post-qualification proceeding conducted on 15 November 2024, the TWG determined that QUESTECH CO. INC.<sup>11</sup> was able to present documents required of them, compliant with the Office’s technical specifications and responsive to all the legal requirements and conditions for eligibility, prompting it to recommend the award of contract to QUESTECH CO. INC.;

<sup>4</sup> Annex “A” Minutes of the Negotiated Conference.

<sup>5</sup> Posted/published on 04 November 2024.

<sup>6</sup> Questech Co. Inc. submitted on 11 November 2024, 9:14 a.m.

<sup>7</sup> Annex “B” Minutes of the Opening of Proposal/Quotation

<sup>8</sup> Annex “C” Summary of the Opening of Proposal/Quotation

<sup>9</sup> Annex “D” Abstract of the Opening of Proposal/Quotation

<sup>10</sup> Annex “E” Summary of the Bid/Proposal Evaluation

<sup>11</sup> TWG Post-Qualification Report dated 20 November 2024, received on 20 November 2024.

**NOW, THEREFORE**, the undersigned members of the Bids and Awards Committee-Main hereby **RESOLVE** and **RECOMMEND** to award of contract to **QUESTECH CO. INC.**, for tendering the **Best and Final Offer** for **QN 2024-118-OCT: Negotiated Procurement (Two Failed Biddings) for the Supply, Delivery, Installation, Configuration, Migration, and Testing of Hyperconverged Infrastructure and Backup System for the Office of the Ombudsman** in the amount of **Twelve Million Six Hundred Eighty-One Thousand Seven Hundred Sixty-Seven Pesos and 96/100 (₱12,681,767.96)**, subject to the posting of a bond to guarantee performance.

**SO RESOLVED.**

20 November 2024, Quezon City, Philippines.


**BIDS AND AWARDS COMMITTEE – MAIN<sup>12</sup>**

  
MARIA CRISTINA T. CAUSAPIN  
11/26/24 Member

  
CORINNE JOIE M. GARILLO-ARELLANO  
Member

  
JENNY CERA-BAYANGOS  
Member

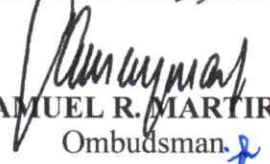
  
ZARNETTE E. SANCEDA  
Member

  
LORENZO G. VERGARA  
Member

  
NELLIE P. BOGDEN-GOLEZ  
Vice-Chairperson

  
ADORACION A. AGBADA  
Chairperson

**APPROVED / DISAPPROVED:**

  
SAMUEL R. MARTIRES  
Ombudsman. *SR*

<sup>12</sup> While the term of the Bids and Awards Committee (BAC) - Main is until 14 July 2024, it is provided under Section 11.2.6 of the Revised Implementing Rules and Regulations of Republic Act No. 9184 that upon expiration of the terms of the current BAC membership, they shall continue to exercise their functions in a hold-over capacity until a new BAC membership shall have been designated.