



BAC Resolution No. 075, series of 2022

**BAC RESOLUTION DECLARING FAILURE OF BIDDING & TO RE- BID**

<b>BIDDING NO.:</b> <b>IB22-403611-09</b>	<b>TITLE/DESCRIPTION:</b> Category per RAB184: <b>[X]GOODS [ ] INFRA/WORKS [ ]CONSULTING</b>
<b>APPROVED BUDGET CEILING (ABC):</b> <b>₱1,500,000.00</b>	<b>“ONE (1) LOT LUMP SUM CONTRACT FOR THE COMPLETE REHABILITATION, REPAIR, REPLACEMENT OF PARTS INCLUDING SUPPLY OF MATERIALS, LABOR, TOOLS, EQUIPMENT, TECHNICAL EXPERTISE, TESTING AND COMMISSIONING OF THE AUDITORIUM CENTRAL AIR CONDITIONING SYSTEM OF THE DAP CONFERENCE CENTER IN TAGAYTAY CITY”</b>
<b>BUDGET UTILIZATION SLIP NO.:</b> <b>PP22110149</b>	

**WHEREAS**, on 25 November 2022 (Friday), the Bids and Awards Committee 1 (BAC), through its BAC Secretariat, posted an Invitation to Bid<sup>1</sup> for the above-stated Project at the PhilGEPS Website, the DAP Website, Facebook Page of the BAC Secretariat, and conspicuous places in DAP-Pasig, and directly invited twenty-three (23) Prospective Bidders through email, namely:

1. Jholan Airconditioning Services
2. Uniform Refrigeration and Airconditioning Supply Inc.
3. AMBAC Construction Services
4. Maintenance of Airconditioning & Refrigeration (Marco) Co. Inc.
5. Perry A Trading
6. Cool Airconditioning Refrigeration Ind., Inc.
7. Cool Creator Taring & Service Inc.;
8. New FS Cool Aire Industries Inc.
9. FIRST FLOW HVAC Technologies Inc
10. DDC Coolmakers & Power Builders Corp.
11. HVAC Frostlite Inc.
12. Maintenance of Airconditioning & Refrigeration Co.
13. NVFS Maintenance Aircon and Refrigeration System Trading
14. NMAX Airconditioning Trading Corporation
15. Koolhome Air Conditioning Corp.
16. Koppel Philippines
17. MAGNAYE Electrical Service
18. Unity Marketing Corporation
19. MJL Enterprises
20. ACMI Office Systems Philippines, Inc.
21. MODERN TECH. CO., LTD.
22. Teknikos Refrigeration and Airconditioning Services, Inc.; and
23. Deokma Eight Trading Inc.

<sup>1</sup> Annex “A” – Invitation to Bid for the Project

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		<b>p.2/11</b>

**WHEREAS**, representatives from four (4) oversight agencies and various organizations were invited to observe the conduct of the bidding process, namely:

1. **MS. SUZETTE G. PORNALES**, DAP Auditor, Commission on Audit (COA);
2. **JUDGE BEL D. DERAYUNAN**, Assistant Government Corporate Counsel, Office of the Govt. Corp. Counsel (**OGCC**);
3. **MR. RUBEN J. PASCUAL**, Security General, Philippine Chamber of Commerce & Industry (**PCCI**); and
4. **MR. VICTORIO MARIO DIMAGIBA**, President, Laban Konsyumer Inc. (**LKI**).

**WHEREAS**, on 07 December 2022 (Tuesday), a Pre-Bid Conference was conducted via Google Meet platform through the link: [meet.google.com/ssp-zmsu-ufm](https://meet.google.com/ssp-zmsu-ufm) and were attended by the five (5) Prospective Bidders, namely:

1. **Unity Marketing Corporation** represented by (1) Ms. Vanessa R. Narlo, Sales & Marketing Executive and (2) Mr. Nelson G. Linde, Technical Manager;
2. **AMBAC Construction Services** represented by (1) Mr. Clark Lemuel S. Flores, Project Engineer, (2) Mr. Arnel M. Estefanio, Operation Manager, (3) Mr. Noel C. Castaneda, Project Manager;
3. **HVAC Frostlite Inc.** represented by Mr. Roger T. Barte, Sales Engineer;
4. **TEKNIKOS Refrigeration & Airconditioning Services, Inc.** represented by (1) Mr. Rodylyn S. Lebuna, Sales Manager; and
5. **MJL Enterprises** represented by Ms. Marilyn Pabiona, Sales Representative.

**WHEREAS**, among the named Prospective Bidders, only **UNITY MARKETING CORPORATION (UMC)** bought the Official Bidding Documents amounting to P1,500.00;

**WHEREAS**, among the five (5) bidders who attended the Pre-Bid Conference, two (2) Prospective Bidder sent their Letter of Regret, namely:

1. **AMBAC Construction Services**<sup>2</sup>; and
2. **TEKNIKOS Refrigeration & Airconditioning Services, Inc.**<sup>3</sup>

**WHEREAS**, on 27 December 2022 (Tuesday), the scheduled Submission and Opening of e-Bids (SOeB) was conducted via Google Meet platform through the link: [meet.google.com/oty-zoog-ugj](https://meet.google.com/oty-zoog-ugj);

**WHEREAS**, during the scheduled Submission and Opening of e-Bids, only Mr. Gelie Abinoja from DAP COA, attended as the Observer for the BAC-proceeding;

<sup>2</sup> Annex "B" – Letter of Regret from AMBAC Construction Services

<sup>3</sup> Annex "C" – Letter of Regret from TEKNIKOS Refrigeration & Airconditioning Services, Inc.

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**WHEREAS**, during the opening of e-bids submitted by **UMC**, the Eligibility Documents marked as “**E01**” to “**E04**” and Technical Documents marked as “**T01**” and “**T04**”, the BAC declared as “**PASSED**” subject to further evaluation during Post Qualification;

**WHEREAS**, the submitted Financial Documents by **UMC** marked as “**F01**” to “**F02**” were declared as “**FAILED**” by the BAC on the reason that the financial bid by **UMC** amounting to **THREE MILLION FIVE HUNDRED FIFTY-ONE THOUSAND TWO HUNDRED PESOS (P3,551,200.00)** which exceeds the Approved Budget for the Contract (ABC);

**WHEREAS**, the BAC through the BAC Secretariat informed the authorized representative of **UMC** that they may avail the provision of RA 9184 to file a written Request for Reconsideration (RR) within three (3) calendar days or until December 30, 2022 (Friday);

**WHEREAS**, on December 30, 2022, the BAC Secretariat did not receive any written RR from **UMC**, therefore, the deadline for the availment of the filing of RR has been lapsed;

**WHEREAS**, as per Section 35.1 (a) of the 2016 Revised Implementing Rules and Regulations of RA 9184, which states that:

*“The BAC shall declare the bidding a failure when:*



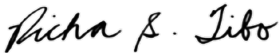

*b) All prospective bidders are declared ineligible;*

**WHEREAS**, the BAC 2 hereby instructed the End Users and Technical Working Group to conduct a mandatory review and evaluation of the terms, conditions, and specifications in Bidding Documents, including its cost estimates (*as per Section 35.2 of the 2016 Revised IRR of RA 9184*); and,

**NOW, THEREFORE**, we, the members of the BAC 2 as per Special Order No. 2022-042, hereby RESOLVED:

1. To declare the **1<sup>st</sup> FAILURE OF BIDDING** for the Project; and
2. To recommend to the HoPE the **1<sup>st</sup> FAILURE OF BIDDING and to RE-BID** as per Section 35 of the 2016 Revised IRR of RA 9184.

**RESOLVED** on this 31<sup>st</sup> day of December 2022.

dap BIDS & AWARDS COMMITTEE 1 as per Special Order No. SO-2022-042	
 <b>ROMEL VONN T. MANOCAN</b> <i>BAC Member 1</i>	<p style="color: red;">-absent-</p> <b>EDNA CARINA M. PANGANIBAN</b> <i>BAC Alt. Member 2</i>
<p style="color: red;">-absent-</p> <b>VERONICA V. FERRER</b> <i>BAC Member 3</i>	 <b>PAG-ASA L. DOGELIO</b> <i>End User</i>
 <b>RICHA S. TIBO</b> <i>Vice Chairperson</i>	<b>ALAN S. CAJES</b> <i>Chairperson</i>
<p><b>Approved by:</b></p> <div style="text-align: center;">   <b>ATTY. ENGELBERT C. CARONAN, JR., MNSA</b>            Head of Procuring Entity            President and CEO, DAP         </div>	



**development academy of the philippines**  
BIDS & AWARDS COMMITTEE per SO#2022-020 and SO#2022-042

**INVITATION TO BID**

**FOR**

**“ONE (1) LOT LUMP SUM CONTRACT FOR THE COMPLETE  
REHABILITATION, REPAIR, REPLACEMENT OF PARTS  
INCLUDING SUPPLY OF MATERIALS, LABOR, TOOLS,  
EQUIPMENT, TECHNICAL EXPERTISE, TESTING AND  
COMMISSIONING OF THE AUDITORIUM CENTRAL AIR  
CONDITIONING SYSTEM OF THE DAP CONFERENCE CENTER  
IN TAGAYTAY CITY”**

*per Invitation to Bid No.: IB22-403611-09*

1. The **Development Academy of the Philippines (DAP)**, intends to apply the sum of **ONE MILLION FIVE HUNDRED THOUSAND PESOS (P1,500,000.00)** from the Corporate Operating Budget (COB) for FY 2023 as the Approved Budget for the Contract (ABC) under the contract for **“ONE (1) LOT LUMP SUM CONTRACT FOR THE COMPLETE REHABILITATION, REPAIR, REPLACEMENT OF PARTS INCLUDING SUPPLY OF MATERIALS, LABOR, TOOLS, EQUIPMENT, TECHNICAL EXPERTISE, TESTING AND COMMISSIONING OF THE AUDITORIUM CENTRAL AIR CONDITIONING SYSTEM OF THE DAP CONFERENCE CENTER IN TAGAYTAY CITY”** per Invitation to Bid No.: **IB22-403611-09**.
2. **Bids received in excess of the ABC shall be automatically rejected at bid opening.**
3. The **DAP** now invites bids for the above Project. Delivery of the Goods is required within **forty-five (45) calendar days** after the receipt of the Notice to Proceed (NTP). Bidders should have completed similar project with a contract amount equivalent to at least fifty percent (50%) or P750,000.00 of the ABC. The description of an eligible bidder is contained in the Bidding Documents, particularly, in Section II (Instructions to Bidders).
4. Bidding will be conducted through open competitive bidding procedures using a non-discretionary *“pass/fail”* criterion as specified in the 2016 Revised Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 9184.

Bidding is restricted to Filipino citizens/sole proprietorships, partnerships, or organizations with at least sixty percent (60%) interest or outstanding capital stock belonging to citizens of the Philippines, and to citizens or organizations of a country the laws or regulations of which grant similar rights or privileges to Filipino citizens, pursuant to RA 5183.

5. The Prospective Bidders may obtain further information about the Bid Documents thru this email [dapbacsec@dap.edu.ph](mailto:dapbacsec@dap.edu.ph) from Monday to Friday, 9:00AM to 4:30PM.
6. A complete set of Official Bidding Documents (OBD) may be bought by interested Bidders from **25 November 2022 (Fri)** to **23 December 2022 (Fri)** from 09:00 AM to 04:30PM of the non-refundable applicable fee for the Bidding Documents, and pursuant to the latest Guidelines issued by the GPPB, the cost for the Official Bidding Documents is **ONE THOUSAND FIVE HUNDRED PESOS (P1,500.00)**.

It may also be downloaded free of charge from the website of the Philippine Government Electronic Procurement System (PhilGEPs) and the website of the DAP. In order for bidders to participate, they shall pay the cost of the OBD, **three (3) days before the scheduled Submission and Opening of Bids**.

7. Interested bidders must make payment to:

Account Name:	Development Academy of the Philippines
Account Number:	0671-0105-40
Bank:	Landbank of the Philippines
Branch of Account:	Pasig Capitol Branch

A copy of proof of payment must be emailed to DAP's Finance Department at: [cashtreasury@dap.edu.ph](mailto:cashtreasury@dap.edu.ph) and copy furnish [dapbacsec@dap.edu.ph](mailto:dapbacsec@dap.edu.ph) for the issuance of Official Receipt (OR) and the BAC Secretariat will provide assistance to the On-line Bidder for the creation of "**bidms account**" and dedicated site in the [bidms.dap.edu.ph](http://bidms.dap.edu.ph).

8. The DAP will hold a Pre-Bid Conference **07 December 2022 (Wed), 10:00AM** via Google Meet Platform which shall be opened to all interested Bidders upon formal request through the BAC Secretariat. Requests shall be coursed through email at [dapbacsec@dap.edu.ph](mailto:dapbacsec@dap.edu.ph) and an invitation link will then be provided to at most three (3) email addresses per On-line Bidder.
9. In compliance with GPPB Resolutions Nos. 09-2020 and 12-2020, all electronic-Bids must be duly received by the Bids and Awards Committee (BAC) Secretariat, through the designated [bidms.dap.edu.ph](http://bidms.dap.edu.ph) secured account on or before **27 December 2022 (Tue)** and **not later than 9:30AM**. All bids must be accompanied by a bid security in any of the acceptable forms and in the amount stated in ITB Clause 14.
10. Bid opening shall be on **27 December 2022 (Tue)** at **10:00AM** via Google Meet Platform. Electronic-bids will be opened in the presence of the bidders' authorized representative/s who are authorized to attend the proceedings, as evidenced by the Bidders' Notarized Letter of Authorization. **LATE BIDS SHALL NOT BE ACCEPTED.**

**Annex "A" - Invitation to Bid.....Page 3 of 3**

11. The **DAP** reserves the right to reject any and all bids, declare a failure of bidding, or not award the contract at any time in accordance with the provisions of RA 9184 and its IRR, without thereby incurring any liability to the affected bidder or bidders.
12. For further information, please refer to:


**RODEL DV. CASTILLO**  
*Director, Logistics Division*  
Development Academy of the Philippines  
3F DAP Bldg., San Miguel Avenue, Pasig City 1600  
P.O. Box 12788 Ortigas Center, Pasig City 1600 Philippines  
Telephone No. : (632) 8631-0921 loc. 133  
BAC Secretariat email : [danbacsec@dap.edu.ph](mailto:danbacsec@dap.edu.ph)  
Website address : <http://www.dap.edu.ph>

13. You may visit the following websites:

**For downloading of Official Bidding Documents:** <https://www.dap.edu.ph/invitation-to-bid/>  
**For online bid submission:** <http://bidms.dap.edu.ph/page/>

Issued this 25<sup>th</sup> day of November 2022 (Friday).

For the dap Bids & Awards Committee 2:

  
**ALAN S. CAJES**  
Chairperson, BAC

>> Nothing Follows <

**Annex "B" - Letter of Regret from AMBAC Construction Services.....Page 1 of 1**



**AMBAC CONSTRUCTION SERVICES**

CIVIL ELECTRICAL MECHANICAL PLUMBING

December 20, 2022

**MS. MARIET RIZ M. BRADECINA**

*BAC Secretariat*

*DAP-Bids and Awards Committee Secretariat*

*Development Academy of the Philippines*

*Ground Floor, DAP Bldg., San Miguel Avenue,*

*Ortigas Center, Pasig City*


**Dear Ms. Bradecina:**

Greetings!

We regret to inform you that AMBAC Construction Services is declining to attend the scheduled submission and opening of bids on 27 December 2022 (Tuesday). This is for the Project: *"ONE (1) LOT LUMP SUM CONTRACT FOR THE COMPLETE REHABILITATION, REPAIR, REPLACEMENT OF PARTS INCLUDING SUPPLY OF MATERIALS, LABOR, TOOLS, EQUIPMENT, TECHNICAL EXPERTISE, TESTING AND COMMISSIONING OF THE AUDITORIUM CENTRAL AIR CONDITIONING SYSTEM OF THE DAP CONFERENCE CENTER IN TAGAYTAY CITY"* Apologies on this matter as we can no longer comply with the documents being requested and we were not able to attend the scheduled site visit due to conflict in schedule.

Thank you for the opportunity and thank you for understanding. We are looking forward in participating on your future projects.

Sincerely yours,

  
Arnel Estefanio

AMBAC Construction Services

EMAIL ADDRESS: [ambac.constructionservices@gmail.com](mailto:ambac.constructionservices@gmail.com)  
CONTACT NO. 0917-6374702 / 0923-7053849  
OFFICE ADDRESS: Blk. 28 Lot 9 Daffodil St. Primrose Hills Mahabang Parang Angono Rizal





**AMBAC CONSTRUCTION SERVICES**

CIVIL. ELECTRICAL. MECHANICAL. PLUMBING

December 20, 2022

**MS. MARIET RIZ M. BRADECINA**

*BAC Secretariat*

*DAP-Bids and Awards Committee Secretariat*

*Development Academy of the Philippines*

*Ground Floor, DAP Bldg., San Miguel Avenue,*

*Ortigas Center, Pasig City*


**Dear Ms. Bradecina:**

Greetings!

We regret to inform you that AMBAC Construction Services is declining to attend the scheduled submission and opening of bids on 27 December 2022 (Tuesday). This is for the Project: *"ONE (1) LOT LUMP SUM CONTRACT FOR THE COMPLETE REHABILITATION, REPAIR, REPLACEMENT OF PARTS INCLUDING SUPPLY OF MATERIALS, LABOR, TOOLS, EQUIPMENT, TECHNICAL EXPERTISE, TESTING AND COMMISSIONING OF THE AUDITORIUM CENTRAL AIR CONDITIONING SYSTEM OF THE DAP CONFERENCE CENTER IN TAGAYTAY CITY"* Apologies on this matter as we can no longer comply with the documents being requested and we were not able to attend the scheduled site visit due to conflict in schedule.

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