

**PHILIPPINE GUARANTEE CORPORATION
BIDS AND AWARDS COMMITTEE**

R E S O L U T I O N N O. 2021-143

WHEREAS, pursuant to BAC Resolution No. 2021-136 dated 16 August 2021, the Head of the Procuring Entity approved the recommendation of the Bids and Awards Committee (BAC) for the award of contract to **Otus Copy Systems, Inc.** being declared as the **Single Calculated and Responsive Quotation** for the procurement of four (4) units of Printer Inkjet/Network in the amount of **Pesos: Fifty-Six Thousand Three Hundred Sixty-Eight (Php56,368.00)**, inclusive of applicable taxes;

WHEREAS, the Notice of Award was sent to **Otus Copy Systems, Inc.** on 17 August 2021;

WHEREAS, the **Otus Copy Systems, Inc.** in its letter dated 26 August 2021 (copy attached) refused to accept the award due to price increase effective 01 August 2021, since this will cost loss to their revenue and also the validity of quotation has exceeded the validity period of sixty (60) calendar days from date of submission on May 27, 2021 12:05 P.M.;

WHEREAS, Section 40.1 and 40.3 of the 2016 Revised Implementing Rules and Regulation of the Republic Act No. 9184 allowed the declaration provides that:

"40.1 If the bidder with the LCRB, HRRB, SCRB or SRRB fails, refuses or is unable to submit the documents required under Section 37.1 of this IRR or to make good its bid by entering into a contract with the Procuring Entity or post the required Performance Security within the period stipulated in this IRR or in the Bidding Documents, the bid security shall be forfeited and the appropriate sanctions provided in this IRR and existing laws shall be imposed, except where such failure, refusal or inability is through no fault of the said bidder.

40.3 In the case of failure, refusal or inability of the bidder with the SCRB or SRRB to submit the documents required under Section 37.1 of this IRR or to enter into contract and post the required Performance Security, as provided in this Section, the BAC shall disqualify the said bidder, and shall declare the bidding a failure and conduct a re-bidding with re-advertisement and/or posting, as provided for in Sections 21 and 25 of this IRR. XXX"

NOW THEREFORE, in consideration of the foregoing circumstances, the Bids and Awards Committee resolved the following:

- a. Declaration of a failure of bidding for the procurement of four (4) units of Printer Inkjet/Network with an Approved Budget for the Contract (ABC) of Pesos: Sixty Thousand (Php60,000.00), inclusive of applicable taxes; and

- b. The end-user shall conduct a mandatory review of the Technical Specification and Approved Budget for the Contract prior to the request for the procurement of four (4) units of Printer Inkjet/Network.

Makati City, 26 August 2021.

BIDS AND AWARDS COMMITTEE


IAN A. BRIONES
Chairperson



MELINDA M. ADRIANO
Vice Chairperson

RAFAEL P. DELOS SANTOS
Member



NELIA O. OANDASAN
Member


ARSENIO C. DE GUZMAN
Member


JOSE EDUARDO B. VILAR
Provisional Member (Technical)


LLOYD A. SIOSON
Provisional Member (End-user)

Noted by:


ALBERTO E. PASCUAL
Head of the Procuring Entity

Digitally
Signed by:
Pascual,
Alberto E.