



PAGASA BIDS AND AWARDS COMMITTEE (PBAC)

Resolution No. 2022-066

**Declaring 1st Failure of Bidding; and
Recommending Approval**

WHEREAS, the Philippine Atmospheric, Geophysical and Astronomical Services Administration (PAGASA), through the PAGASA Bids and Awards Committee, advertised the Invitation to Bid (IB) at the PAGASA website and PAGASA Bulletin board continuously for 7 days from **25 July to 01 August 2022**, the procurement of the following civil works/infrastructure project described hereunder, with its corresponding Approved Budget for the Contract (ABC), under the reference, **P.R. No. 2022-03-0265/ I.B. No. 2022-003INF**, to wit:

Particulars	ABC	Contract Duration
Repair/Rehabilitation of Itbayat Synoptic Station	Php8,673,000.00	180cd

WHEREAS, in response to the above advertisement, **only one (1) prospective bidder, JESSIE CONSTRUCTION SERVICES**, expressed its intention to participate in the bidding of the aforesaid Project but did not attend the scheduled **Pre-bid Conference** conducted by the PBAC on **2 August 2022**;

WHEREAS, any and all noted deviations/amendments appurtenant to the Project had been issued through a **Supplemental Bid/Bulletin (SBB)**, with reference to **Addendum No. 2022-003-01 INF** dated 15 August 2022 and herein made part of this Resolution as **Annex "A"**;

WHEREAS, on **15 August 2022**, the schedule for **Submission and Opening** of Envelope I (Eligibility and Technical Components) and Envelope II (Financial Component), the **lone bidder, JESSIE CONSTRUCTION SERVICES**, **timely submitted** its tender documents for the project; however, **failed** to pass the preliminary evaluation of bids due to *failure to comply with the simple instructions to bidders*, more specifically, failure of the company's authorized signatory to affix his/her counter signature on each and every page of the bidding documents submitted, which is a requirement under **Item/Note a)** which provides that, *"Each and every page of the prospective bidder's Eligibility and Technical Components, whether original or certified true copy shall be signed/countersigned by the Bidder or his/her duly authorized representative/s. xxx"*

WHEREAS, applying the non-discretionary **"Pass/Fail"** criterion in the evaluation of bids, the PAGASA-BAC declared the outright rejection of the bidder's documents based on the foregoing findings and the lone bidder was given at least three (3) calendar days within which to file its request for reconsideration if the latter chooses to do so;

WHEREAS, on 16 August 2022, the PAGASA-BAC received a letter from Jessie Construction Services requesting for consideration for the outright rejection of their bid documents;

WHEREAS, on 22 August 2022, the PAGASA-BAC, in a meeting called to tackle the said request for reconsideration, unanimously voted to sustain its prior decision disqualifying the lone bidder. The dispositive portion of its decision reads as follows:

"For and in consideration thereof, the PAGASA-BAC would like to reiterate that, for purposes of transparency and fairness, we strictly observe the non-discretionary "Pass/Fail" criterion in our evaluation of bids regardless of whether a bidder is the lone participant to a certain bidding process. Xxx the PAGASA-BAC finds the foregoing instructions clear and simple and requires no further interpretation. Thus, the claim by your company in your letter that, "1. It was on our part to consider, specially with the notarial documents that we are no longer oblige to cast our counter signs or initials for the reason that every pages of the legal documents were already signed by the authorized signatory"

[Signature]
Brian B. Bingsobing
End-user

[Signature]
Willy F. Evangelista
Member

[Signature]
Cristian D. Sarvictores
Member

[Signature]
Atty. Eric Christopher Amado J. Agsaoy
2nd Vice-Chairperson

[Signature]
Joel C. Rivera
1st Vice-Chairman

[Signature]
Bonifacio G. Pajuelas, Ph.D.
Chairman

is a clear disregard of such instruction to bidders and could not be considered as excusable error.”

“In this regard, the PAGASA-BAC, in its meeting last 22 August 2022, unanimously concurred to DENY your company’s Request for Reconsideration based on the above-stated considerations.”

WHEREAS, in view of the foregoing and there being no other participating bidders, the PAGASA-BAC moved as it was duly seconded to declare the 1st failure of bidding of the above-entitled Project.

NOW, THEREFORE, We, the Members of the Bids and Awards Committee, hereby **RESOLVE** as it is hereby **RESOLVED**:

- a) to **DECLARE**, the **1st Failure of Bidding** for the above-entitled Project;
- b) to **RECOMMEND**, the immediate **re-posting** thereof for re-bidding purposes; and
- c) to **RECOMMEND**, finally, the **APPROVAL** of aforementioned findings and recommendations.

RESOLVED, this **22nd day of August 2022** at the Amihan Conference Room, 2nd Floor PAGASA Main Building, Science Garden Compound, BIR Road, Brgy. Central, Quezon City.


BRIAN B. BUNGABONG
End-user


CRISTIAN D. SANVICTORES
Member

On Official Travel
WILLY F. EVANGELISTA
Member


JOEL C. RIVERA
1st Vice-Chairperson

Did not Participate
ATTY. ERIC CHRISTOPHER AMADO J. AGSAOAY
2nd Vice-Chairperson


BONIFACIO G. PAJUELAS, Ph.D.
Chairperson

APPROVED/DISAPPROVED:


VICENTE B. MALANO, Ph.D.
Administrator