

BIDS AND AWARDS COMMITTEE (BAC)
Resolution No. 20-09-184**RECOMMENDING AWARD OF CONTRACT FOR LOT NO. 2 – CANNED
SARDINES FOR THE SUPPLY AND DELIVERY OF FOOD AND NON-FOOD
ITEMS FOR THE PRODUCTION OF FAMILY FOOD PACKS FOR CY 2020
THROUGH FRAMEWORK AGREEMENT**
— ITB No. GOP/20-DSWD-028-A —
(PR No. 01-20001-PR-2020-02-00034)

WHEREAS, the National Resources and Logistics Management Bureau of the Department of Social Welfare and Development (DSWD) is in need of a supplier for the **Supply and Delivery of Food and Non-Food Items for the Production of Family Food Packs for CY 2020 Through Framework Agreement – Canned Sardines**. Copies of the Purchase Request (PR) and the supporting documents for the use of Framework Agreement are hereto attached, marked as **Annexes “A”, “B-1”, “B-2”, “B-3”, “B-4” and “B-5”**, respectively, and are made integral parts hereof;

WHEREAS, on 3 June 2020, the Bids and Awards Committee (BAC) issued Resolution No. 20-06-119 declaring a failure of bidding for the **Supply and Delivery of Food and Non-Food Items for the Production of Family Food Packs for CY 2020 Through Framework Agreement – Lot No. 2 - Canned Sardines** under ITB No. GOP/20-DSWD-028 because no bids received within the deadline of submission and receipt of bids. This information was relayed to the NRLMB through a memorandum issued by the BAC dated 16 June 2020. Copies of the Resolution No. 20-06-119 and the Memorandum are hereto attached, marked as **Annexes “C” and “D”**, respectively, and are made integral parts hereof;

WHEREAS, on 7 July 2020, the BAC through its Secretariat received a memorandum from NRLMB requesting for the conduct of another round of public bidding for the above-mentioned project. A copy of the Memorandum is hereto attached, marked as **Annex “E”**, and made an integral part hereof;

WHEREAS, the DSWD through the Bids and Awards Committee (BAC), posted an Invitation to Bid (ITB) for the **Supply and Delivery of Food and Non-Food Items for the Production of Family Food Packs for CY 2020 Through Framework Agreement** under **ITB No. GOP/20-DSWD-028-A** at the Philippine Government Electronic Procurement System (PhilGEPS) and DSWD websites, and at conspicuous places within the DSWD premises starting 9 July 2020. The total Approved Budget for the Contract (ABC) for **Lot No. 2 – Canned Sardines** is **Forty-Nine Million Eight Hundred Eighty Thousand Four Hundred Ninety-Nine Pesos (PhP49,880,499.00)**. Copies of the ITB and proof of postings are hereto attached, marked as **Annexes “F”, “G-1”, “G-2” and “G-3”** respectively, and are made integral parts hereof;

WHEREAS, the Competitive Bidding Procedure for Goods was adapted in this undertaking pursuant to Republic Act No. 9184 (RA 9184), otherwise known as the Government Procurement Reform Act (GPRA) and its 2016 Revised Implementing Rules and Regulations (IRR) in relation to Annex B (Guidelines on the use of Framework Agreement by All Procuring Entities) of the same IRR issued through Resolution No. 27-2019 dated 10 December 2019 by the Government Procurement Policy Board (GPPB);

WHEREAS, on 17 July 2020 at 10:00 a.m., a Pre-Bid Conference was conducted and attended/participated by the following prospective bidders to discuss the specifications, provisions of the Bidding Documents and terms and conditions of the contract:

1. Century Pacific Food, Inc.;
2. Foodsphere, Inc.;
3. Fortune Group Corp.;
4. Virginia Food, Inc.;
5. CYN Trading & Services, Inc.;
6. Blue Macay Food Manufacturing Corp.;
7. Emmaiah Marketing & Services, Inc.;
8. Puregold – San Mateo; and
9. Greenstone Packaging Corp.

A copy of the Minutes of the Pre-Bid Conference is hereto attached, marked as **Annex “H”**, and made an integral parts hereof;

WHEREAS, the BAC issued Supplemental/Bid Bulletins and posted at the PhilGEPS and DSWD websites and in conspicuous places which formed part of the Bidding Documents as follows:

Reference No.	Date issued	Particulars
Supplemental/Bid Bulletin No. 1	16 July 2020	Announcing amendments/changes made in the procurement schedule.
Supplemental/Bid Bulletin No. 2	28 July 2020	Announcing response on the query/clarification raised by the prospective bidder and the amendments/changes made in the Bidding Documents.

Copies of said Supplemental/Bid Bulletins and proof of postings are hereto attached, marked as **Annexes “I”, “J-1”, “J-2”, “J-3”, “K”, “L-1”, “L-2” and “L-3”**, respectively, and are made integral parts hereof;

WHEREAS, in response to the ITB, four (4) prospective bidders secured a complete set of Bidding Documents for Lot No. 2 – Canned Sardines upon payment of a non-refundable fee of Twenty-Five Thousand Pesos (PhP25,000.00), to wit:

1. Permex Producers & Exporter Corp.;
2. Fortune Group Corp.;
3. Asia Pacific Aquamarine, Inc.; and
4. HLYC Trading;

Copies of the Official Receipts are hereto attached, marked as **Annexes “M-1”, “M-2”, “M-3” and “M-4”**, respectively, and are made integral parts hereof;

WHEREAS, prior to the deadline for the submission and receipt of bids on 5 August 2020 at 9:00 a.m., the following prospective bidders came to submit their bid proposals for Lot No. 2 – Canned Sardines, to wit:

Name of Bidder	Date and Time Received
Permex Producer & Exporter Corp.	4 August 2020 at 4:32 p.m.
Asia Pacific Aqua Marine, Inc.	5 August 2020 at 7:25 a.m.
Fortune Group Corporation	5 August 2020 at 8:22 a.m.
HLYC Trading	5 August 2020 at 8:23 a.m.

Copies of the Receipt of Bid Proposal is hereto attached, marked as **Annex “N-1”**, **“N-2”**, **“N-3”** and **“N-4”**, respectively, and are made integral parts hereof;

WHEREAS, during the opening and preliminary examination of bids or the documents submitted by the bidder, the BAC had the following findings for Lot No. 2 – Canned Sardines, to wit:

Name of Bidder	Technical Component	Financial Component
Permex Producer & Exporter Corp.	“Failed”	“Remained Unopen”
Asia Pacific Aqua Marine, Inc.	“Failed”	“Remained Unopen”
Fortune Group Corporation	“Failed”	“Returned Unopen”
HLYC Trading	“Passed”	“Passed”

Copies of the Minutes of Bid Opening and Abstract of Bids “As Read” are hereto attached, marked as Annexes **“O”**, **“P-1”**, and **“P-2”**, respectively, and are made integral parts hereof;

WHEREAS, the BAC issued Notice of Disqualification to Asia Pacific Aqua Marine, Inc. for failure to comply with the requirements indicated in Clause 12.1 of Section II. Instruction to Bidders of the Bidding Documents and Fortune Group Corporation for failure to comply with the requirements indicated in Clause 12.1 of Section II. Instruction to Bidders of the Bidding Documents. On the other hand, the Authorized Representative of Permex Producer & Exporter Corp. was informed on their disqualification during the opening and preliminary examination of the documents. Copies of said Notices are hereto attached, marked as Annexes **“Q-1”** and **“Q-2”**, respectively, and are made integral parts hereof;

WHEREAS, the BAC, with the assistance of its Secretariat, conducted the Bid Evaluation of all bids using non-discretionary criteria considering the completeness of the bid and arithmetical correction, if there are computational errors in the bid price submitted by the lone bidder to determine the Single Calculated Bidder (SCB) for Lot No. 2 – Canned Sardines. During the Bid Evaluation, the BAC determined HLYC Trading as the SCB for Lot No. 2 – Canned Sardines having a total bid price amounting to **Forty-Eight Million Nine Hundred Forty-One Thousand Five Hundred Seventy-One Pesos and Ninety-Six Centavos (PhP48,941,571.96)**. A copy of the Bid Evaluation Report is hereto attached, marked as **Annex “R”**, and made an integral part hereof;

WHEREAS, on 10 August 2020, the BAC through its Secretariat received a Motion for Reconsideration from Permex Producer & Exporter Corp. dated 8 August 2020 requesting for the reconsideration of their bids and submitting their corrected Schedule of Requirements and Technical Specifications for Lot No. 2- Canned Sardines. A copy of the Motion for Reconsideration is hereto attached, marked as **Annex “S”**, and made an integral part hereof;

WHEREAS, for purposes of conducting the Post-Qualification, the BAC requested HLYC Trading, being the SCB for Lot No. 2 – Canned Sardines, to submit an additional documents within five (5) calendar days from receipt of notice from the BAC, pursuant to Section 34.2 of the IRR of RA 9184. A copy of the Notice is hereto attached, marked as **Annex “T”**, and made an integral part hereof;

WHEREAS, the BAC created a Technical Working Group (TWG), pursuant to Section 12 of the IRR of RA 9184, who will conduct the Post-Qualification of HLYC Trading’s bid for Lot No. 2 – Canned Sardines. A copy of the Memorandum is hereto attached, marked as **Annex “U”**, and made an integral part hereof;


WHEREAS, on 17 August 2020, the BAC in its Special Meeting, carefully reviewed and deliberated the Motion for Reconsideration of Permex Producer & Exporter Corp. and resolved to deny the request. The BAC issued a response letter to Permex Producer & Exporter Corp. informing them that their request for reconsideration was denied. Copies of the Minutes of the Meeting and Response Letter are hereto attached, marked as Annexes **“V”** and **“W”**, respectively, and are made integral parts hereof;

WHEREAS, on 28 August 2020, the TWG submitted its Post-Qualification report to the BAC through its Secretariat, wherein the TWG found HLYC trading’s bids, for Lot No. 2 – Canned Sardines, **“responsive”** to the eligibility, technical, financial and additional documents required in the bidding documents. A copy of the TWG Post-Qualification report is hereto attached, marked as **Annex “X”**, and made an integral part hereof;


WHEREAS, on 28 August 2020, the BAC in its Regular Meeting, carefully reviewed and deliberated the TWG Post-Qualification Report and resolved to declare HLYC trading’s bids **“responsive”** for Lot No. 2 – Canned Sardines. A copy of the Minutes of the Meeting is hereto attached, marked as **Annex “Y”**, and made an integral part hereof;

NOW, THEREFORE, in view of the foregoing and on the basis of the documents presented, we, the Bids and Awards Committee, resolves as it is hereby resolved to recommend Award of Contract for **Lot No. 2 – Canned Sardines** for the **“Supply and Delivery of Food and Non-Food Items for the Production of Family Food Packs for CY 2020 Through Framework Agreement”** under ITB No. **GOP/20-DSWD-028-A** to HLYC Trading, being the **Single Calculated and Responsive Bidder**, with a unit cost of **Sixteen Pesos and Sixty-Eight Centavos (PhP16.68)** per tin, inclusive of all applicable taxes. The Contract Duration is from receipt of Notice to Proceed (NTP) until 31 December 2020, or upon consumption of the total quantity in the Framework Agreement List, which is 2,934,147 cans, whichever comes first.


RESOLVED, this 2nd day of **September 2020** at Quezon City, Philippines.


EMMANUEL P. PRIVADO
*Director, National Resource and
Logistics
Management Bureau
Regular Member*

FELIX M. ARMEÑA
*Division Chief, Information and
Communication Technology
Management Service
Alternate Member*


ERNESTINA Z. SOLLOSO
*Director, Pantawid Pamilyang Pilipino
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IRENE B. DUMLAO
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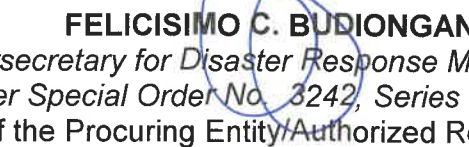

RENE GLEN O. PAJE*
*Undersecretary for Inclusive and
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NOEL M. MACALALAD
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FELICISIMO C. BUDIONGAN
*Undersecretary for Disaster Response
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Chairperson*


EMMANUEL P. PRIVADO
*Director, National Resource and
Logistics
Management Bureau
Provisional Member*

() **Approved** () **Disapproved**


FELICISIMO C. BUDIONGAN
*Undersecretary for Disaster Response Management
(Per Special Order No. 3242, Series of 2019)
(Head of the Procuring Entity/Authorized Representative)*

**Designated as Vice-Chairperson in the absence of the Chairperson*