



ECC-BAC RESOLUTION NO. 21-03-23

DECLARING THE FAILURE OF THE FIRST PROCUREMENT PROCESS OF ONE (1) UNIT OF SPORTS UTILITY VEHICLE (PB-ECC-2021-04) WITH REVISED SPECIFICATIONS DUE TO ABSENCE OF PROSPECTIVE EXTERNAL PROVIDERS

WHEREAS, the Office of the DOLE Secretary has authorized the ECC Secretariat to proceed with the procurement One (1) unit of Sports Utility Vehicle (SUV) for transportation purposes of ECC employees subject to the conditions provided under the DBM Authority to Purchase Motor Vehicles (APMV) No. C-20-0028;

WHEREAS, the **EMPLOYEES' COMPENSATION COMMISSION (ECC)**, through its Bids and Awards Committee (BAC), has conducted a public bidding for the procurement of One (1) Unit of Sports Utility Vehicle (SUV) with revised specifications in the amount of One million Five hundred thousand pesos (P 1, 500, 000.00) as the Approved Budget for the Contract (ABC);

WHEREAS, the ECC-BAC Secretariat has posted the said procurement at PhilGEPS, ECC Website and at the conspicuous places of the ECC Bldg. but did not receive any proposal until 1:00 PM of March 18, 2021 or the allocated date and time for the deadline on the submission of proposal;

WHEREAS, Section 35. 1, paragraph (b) of the Revised Implementing Rules and Regulations (RIIR) of Republic Act No. 9184 otherwise known as the "Government Procurement Reform Act" partly reads:

"Section 35. Failure of Bidding

"Sec. 35.1. The BAC shall declare the bidding a failure when:

- a) **"No bids are received;**
- b) xxx xxx
(emphasis supplied)

ON THE BASIS OF THE CONCURRENCE OF ALL MEMBERS

NOW, THEREFORE, the ECC-BAC **RESOLVES** to declare the failure of the first bidding on the abovementioned procurement due to absence of prospective external provider and the ECC-BAC shall proceed in accordance with the following provisions of the RIIR of R.A. No. 9184:

- “35.2. In order to determine the reason for the failed bidding, the BAC shall conduct a mandatory review and evaluation of the terms, conditions, and specifications in the Bidding documents, including its cost estimates;
- “35.3. Based on its findings, the BAC shall revise the terms, conditions, and specifications, and if necessary, adjust the ABC, subject to the required approvals, and conduct a re-bidding with re-advertisement and/or posting, as provided for in Section 21.2 of this IRR;

xxx xxx


- “35.5. Should there occur a second failure of bidding, the Procuring Entity may resort to negotiated procurement, as provided for in Section 53.1 of this IRR.”

RESOLVED, Finally, that the BAC-Secretariat shall prepare the bid and other related documents for the second procurement process of One (1) Unit of SUV with revised specifications within April, 2021.


RESOLVED, at the ECC this 23rd day of March, 2021, Makati City

ECC BIDS AND AWARD COMMITTEE


Atty. Jonathan T. Villasoto
BAC Chairman


Ma. Cecilia E. Maulion
BAC Vice-Chairperson


Jay B. Galasiniao
BAC Member


Dianne Kriselle Law-Quinlog, M.D.
BAC Member


Maribel S.T. Oliveros
Head of the Requisitioning Division