



Republic of the Philippines
Office of the President
Philippine Postal Corporation

NOTICE OF FAILURE OF BIDDING


November 11, 2022

TO ALL CONCERNED BIDDERS:

In relation to the **Procurement of Transparent/Clear Packaging Tape with Various Prints** with an ABC of Php 1,598,000.00, please be informed that the Board of Directors of this Corporation has approved the recommendation of the Bids and Awards Committee (BAC) to declare a failure of bidding for the abovementioned procurement project, a copy of the Secretary's Certificate containing Board Resolution No. 2022-84 is hereto attached for your reference.

The bidders may refund the payment for bidding documents fee pursuant to Section 17.5 of the 2016 Revised IRR of R.A. 9184.

For information of all concerned bidders.


ATTY. BENJIE S. YOTOKO, CPA
BAC Chairman

cc: Financial Management Department





Republic of the Philippines
Office of the President
Philippine Postal Corporation
Office of the Corporate Secretary

SECRETARY'S CERTIFICATE

1. I am presently the Assistant Corporate Secretary of the Philippine Postal Corporation;
2. The Office of the Corporate Secretary holds office at the 3rd Floor, Manila Central Post Office Building, Magallanes Drive, Liwasang Bonifacio, Barangay 659-A, Ermita, Manila;
3. I am the custodian of the records of the Corporation, including the Minutes of Meetings and Resolutions;
4. In the 11th Regular Meeting of the Board held on November 8, 2022, via videoconference (Zoom Meeting with ID No. 3726631056) during which a quorum was present and acted throughout, Board Resolution No. 2022-84 was unanimously approved and adopted, as follows:

Board Resolution No. 2022 – 84

“ADOPTING THE RECOMMENDATION OF THE BIDS AND AWARDS COMMITTEE (BAC) TO DECLARE FAILURE OF BIDDING FOR VARIOUS PROCUREMENT PROJECTS PURSUANT TO SECTION 41 (B) OF THE 2016 REVISED IMPLEMENTING RULES AND REGULATIONS (IRR) OF REPUBLIC ACT NO. 9184”

WHEREAS, in view of the failure to conduct pre-bid conference and opening of bids within the period prescribed under the 2016 Revised IRR of R.A. No. 9184, the BAC, through Resolution No. 2022-69 dated October 19, 2022, adopted the recommendation of its TWG to recommend to the Board of Directors (Head of Procuring Entity) the declaration of failure of bidding for the following procurement projects pursuant to Section 41 (b) of the 2016 Revised IRR of R.A. No. 9184:

1. Procurement of 242 Sets of DEMS Consignment Notes;
2. Procurement of Transparent/Clear Packaging Tape with various prints;
3. Procurement of 1,000,000 pieces of Security Plastic Seals;
4. Procurement of one (1) unit X-Ray machine; and
5. Procurement of one (1) lot supply and delivery of Closed Circuit Television (CCTV) including configuration, testing,



commissioning, training, installation, structure, and cabling.

WHEREAS, Section 41 of the 2016 Revised IRR of R.A. No. 9184 provides:

"Section 41. The HoPE reserves the right to reject any and all bids declare failure of bidding, or not award the contract in the following situation:

- a) If there is prima facie evidence of collusion between appropriate public officers or employees of the Procuring Entity, or between the BAC and any of the bidders, or if the collusion is between or among the bidders themselves, or between a bidder and a third party, including any act which restricts, suppresses or nullifies or tends to restrict, suppress or nullify competition;*
- b) If the BAC is found to have failed in following the prescribed bidding procedures; or*
- c) For any justifiable and reasonable ground where the award of the contract will not redound to the benefit of the GoP, as follows:*
 - (i) if the physical and economic conditions have significantly changed so as to render the project no longer economically, financially, or technically feasible, as determined by the HoPE;*
 - (ii) if the project is no longer necessary as determined by the HoPE; or*
 - (iii) if the source of funds for the project has been withheld or reduced through no fault of the Procuring Entity." (Emphasis Supplied)*

WHEREFORE, be it RESOLVED, as it is hereby RESOLVED to adopt the recommendation of the BAC to declare failure of bidding for the following procurement projects pursuant to Section 41 (b) of the 2016 Revised IRR of R.A. No. 9184:

1. Procurement of 242 Sets of DEMS Consignment Notes;
2. Procurement of Transparent/Clear Packaging Tape with various prints;
3. Procurement of 1,000,000 pieces of Security Plastic Seals;
4. Procurement of one (1) unit X-Ray machine; and
5. Procurement of one (1) lot supply and delivery of Closed Circuit Television (CCTV) including configuration, testing, commissioning, training, installation, structure, and cabling.

RESOLVED FURTHER, that the payment for bidding documents fee be refunded to the bidders there being no fault on their part based on Section 17.5 of the 2016 Revised IRR of R.A. No. 9184 which provides: *"Bidding Documents Fee may be*

refunded in accordance with the aforementioned Guidelines on the grounds provided for under Section 41 of the Act and this IRR."

RESOLVED FINALLY, that copy of this resolution be furnished the Postmaster General and the Bids and Awards Committee.

Issued this 9th day of November 2022 at the City of Manila, Philippines



GUZMAN B. MELGAREJO, JR.
Assistant Corporate Secretary