



REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF AGRICULTURE
PHILIPPINE COCONUT AUTHORITY
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PHILIPPINE COCONUT AUTHORITY
CENTRAL OFFICE BIDS AND AWARDS COMMITTEE
RESOLUTION No. 26, Series of 2024

FAILURE OF BIDDING & MOTION FOR RECONSIDERATION
SUPPLY, HANDLING, TRANSPORT, & DELIVERY OF COCONUT SEEDLINGS OF PCA REGIONS IV, XII & XIII

WHEREAS, Purchase Requests (PRs) for the Supply, Handling, Transport, & Delivery of Coconut Seedlings were prepared by the Regions IV, XII, and XIII which were approved and funded. Details as follows:

Lot No.	Qty	Item/ Description	Region/Province	Approved Budget for the Contract
1	28,600	Catigan/Tacunan Dwarf Coconut Seedlings	Region IV/Batangas	2,431,000.00
	11,440		Region IV/Cavite	972,400.00
2	35,035		Region IV/Laguna	2,977,975.00
	5,005		Region IV/Rizal	425,425.00
3	40,040		Region IV/Quezon II	3,403,400.00
4	21,450		Region IV/Mindoro	1,823,250.00
5	21,450		Region IV/Marinduque	1,823,250.00
6	21,450		Region IV/Romblon	1,823,250.00
7	58,916	OPV Tall and Dwarf Coconut Seedlings	Region XII/ Cotabato	5,007,860.00
8	58,773		Region XII/ Sarangani-Gensan	4,995,705.00
9	58,773		Region XII/ South Cotabato	4,995,705.00
10	58,773		Region XII/ Sultan Kudarat	4,995,705.00
11	65,780	Catigan/Tacunan Dwarf Coconut Seedlings	R XIII / Agusan del Norte	5,393,960.00
12	65,780		R XIII / Agusan del Sur	5,393,960.00
13	65,780		R XIII / Surigao del Sur	5,393,960.00
14	60,060		R XIII / Surigao del Norte Mainland	4,924,920.00
15	40,040		R XIII / Surigao del Norte Siargao Islands	3,835,832.00
16	31,460		R XIII / Dinagat Islands	3,013,868.00

WHEREAS, on May 20, 2024, the committee conducted the Opening of Bids for the subject procurement wherein 10 (ten) prospective bidders bought and submitted the bidding documents within the prescribed time as follows:

- HVCC PLANT NURSERY - Lots 13, 15, 16
- KOOPERATIBA NG MAGSASAKANG PILIPINO NG TIMOG KUTABATO MPC-Lots 8,9, 10
- CARLOZA PLANT NURSERY - Lots 9 & 12
- SANVICOPA, INC. - Lots 7, 13 & 14
- MB MAMAC AGRO FORESTRY SUPPORT SERVICES - Lots 15 & 16
- GRAND LOGISTICS AND HOLDING CORPORATION - Lots 7, 8, & 12
- ANDRADE AGRI INDUSTRIAL PRODUCTS, INC. - Lots 9, 11, 12, & 13
- JMC PLANT NURSERY - Lots 8, 10 & 11
- TWO A & K AGRICULTURAL NURSERY - Lots 7, 8, 9, 10, 11, 12, 13, 14, 15 & 16
- TR33 ENTERPRISE - Lots 1, 2, 3

WHEREAS, no bids were received for Lots 4, 5, and 6 during the said Opening of Bids;

WHEREAS, during the Opening of bids, seven (7) of ten (10) bidders were declared as ineligible due to the following:

Bidders	Reason of Ineligibility
HVCC Plant Nursery	Non-submission of Notarized Bid Securing Declaration
Kooperatiba ng Magsasakang Pilipino ng Timog Kutabato MPC	Not updated/ expired Annex A of the PhilGEPS Platinum Certificate (mayor's permit and tax clearance)
Carloza Plant Nursery	Insufficient Single Largest Completed Contract
MB Mamac Agro Forestry Support Services	Non-submission of Certificate of Filing or Non-Filing of Cases
Grand Logistics and Holding Corporation	Submission of a valid Certificate of Accreditation as coconut seedling/seednut trader instead of Coconut Seednuts/Seedlings Producers from PCA
JMC Plant Nursery	Insufficient Single Largest Completed Contract
TR33 Enterprise	Insufficient Single Largest Completed Contract

WHEREAS, on May 20, 2024; 11:34am, the CO BAC Secretariat received the Motion for Reconsideration (MR) filed via email by HVCC Plant Nursery stating that: *"xxx I am writing this motion for reconsideration regarding about the attorney's signature on my Bid securing declaration. I 'am humbly ask your office to reconsider my appeal as come to my attention that the document was inadvertently submitted without the required signature. I understand the importance of adhering to all procedural requirements in legal matters, and I sincerely apologize for this oversight. The omission of the signature was an unintentional error on our part. We've got two copies of the Bid securing declaration; I've already attached here other copy of the Bid securing declaration with signature. In case if you consider our appeal, we can submit to you the original copy.xxx"*

WHEREAS, the following provisions were considered by the committee:

1. Rule VII of 2024 Rules on Notarial Practice: Signature and Seal of Notary Public. Section 1. Official Signature – In notarizing a paper instrument or document, a notary public shall a) sign by hand on the notarial certificate only the name indicated and as appearing on the notary's commission; b) not sign using a facsimile stamp or printing device; and c) affix his official signature only at the time the notarial act is performed.
2. Section 30. Preliminary Examination of Bids of RA 9184's Revised IRR: xxx bids that fail to include any requirement or are incomplete or patently insufficient shall be considered as "failed." xxx;

WHEREAS, upon thorough evaluation, the committee unanimously denied the MR filed by HVCC Plant Nursery due to the abovementioned provisions;

WHEREAS, on May 23, 2024 ;9:46pm, the CO BAC Secretariat received the Motion for Reconsideration (MR) filed via email by Kooperatiba ng Magsasakang Pilipino ng Timog Kutabato MPC stating that: *" xxx We are seeking your understanding and consideration regarding our technical documents, specifically the PhilGEPS certification. Regrettably, we encountered an unforeseen challenge in updating out PhilGEPS certification within the stipulated time frame. Our efforts to comply with the requirements were impeded by the timing of our Tax Clearance compilation, which was finalized on May 17, 2024, precisely at 5:00pm. Despite our immediate attempt to update the system, we encountered an unavoidable delay due to the following day falling on a weekend. It's crucial to emphasize that we take full responsibility for the delay and sincerely apologize for any inconvenience caused. We understand the importance of adhering to deadlines and ensuring the completeness of our documentation. In this regard, we have attached the renewed documents for your reference. Furthermore, we would like to bring to your attention that in other government agencies, the submission of renewed documents is often accepted if accompanied by the requisite attachments xxx"*

WHEREAS, GPPB Resolution No. 15-2021 provides the following:

- Item Nos. 1-2 of the Resolved Statements:
 - "xxx LIFT the suspension on the implementation of mandatory submission of the PhilGEPS Certificate of Platinum Registration and Membership in Competitive Bidding and Limited Source Bidding; thus, fully enforcing Sections 8.5.2 and 54.6 of the 2016 revised IRR of RA No. 9184 starting 01 January 2022;
 - APPROVE the amendments in Section 8.5.2 of the 2016 revised IRR of RA 9184 and Items 4 and 6 of the Guidelines for the Use of the GoP-OMR to include the following additional caveat in the Platinum Certificate of Registration and Membership: (i) to state that for the purpose of updating the PhilGEPS Certificate of Platinum Registration and Membership, all Class "A" Eligibility Documents covered by Section 8.5.2 of the 2016 revised IRR of RA 9184 supporting the veracity, authenticity and validity of the Certificate

shall remain current and updated, and that failure by the prospective bidder to update its PhilGEPS Certificate of Platinum Registration and Membership with the current and updated Class "A" Eligibility Documents covered by Section 8.5.2 of the 2016 revised IRR of RA 9184 shall result in the automatic suspension of the validity of its Certificate of Platinum Registration and Membership until such time that all of the expired Class "A" Eligibility Documents has been updated xxx."

- Annex "A" of GPPB Resolution No. 15-2021:
 - In lieu of the Class "A" eligibility documents mentioned under Section 8.5.2 of this IRR, the Bidder shall only submit a valid and updated PhilGEPS Certificate of Registration and Membership in accordance with Section 8.5.2 of this IRR for purposes of determining eligibility.

WHEREAS, upon thorough evaluation, the committee unanimously denied the MR filed by Kooperatiba ng Magsasakang Pilipino ng Timog Kutabato MPC due to the abovementioned provisions;

WHEREAS, no MR was received from Carloza Plant Nursery, MB Mamac Agro Forestry Support Services, Grand Logistics and Holding Corporation, JMC Plant Nursery, and TR33 Enterprise within the prescribed time;

NOW, THEREFORE, for and in consideration of the foregoing, We, the members of the PCA CO BAC, hereby RESOLVE as it is hereby RESOLVED, to declare the following:

- Failure of Bidding for Lots 1, 2, 3, 4, 5, and 6 of Public Bidding No. 08-2024 more particularly described as the Supply, Handling, Transport, & Delivery of Coconut Seedlings for Regions IV, XII, and XIII and proceed with the reposting of the said procurement; and
- Deny the MR filed by HVCC Plant Nursery and Kooperatiba ng Magsasakang Pilipino ng Timog Kutabato MPC due to the above cited provisions.

RESOLVED in Quezon City this 24th day of May 2024.

CENTRAL OFFICE BIDS & AWARDS COMMITTEE


ROEL M. ROSALES

Chairman



MA. CELIA M. RAQUEPO

Vice Chairman

-absent-

ATTY. JANET K. OCLARIT

Member


NOEMI C. DUBONGCO

Member


HERNANI S. YAP

Member

-absent-

LUZ BRENDA P. BALIBREA

Member