



Republic of the Philippines

DEPARTMENT OF SCIENCE AND TECHNOLOGY

PHILIPPINE SCIENCE HIGH SCHOOL - CALABARZON REGION CAMPUS



Certificate No.: SCP000240Q

**BAC RESOLUTION DECLARING FAILURE OF BIDDING RE: Site Development
(Rebidding - Utilizing the Design and Build Scheme)/INFRA-2021-04, and
NON-RESPONSIVENESS OF BIDS OF LONE BIDDER
BERTO LUCCI BUILDERS & SUPPLY
Resolution No 4, s. 2021
December 23, 2020**

**RESOLUTION DECLARING THE FAILURE of BIDDING RE: Site Development
(Rebidding - Utilizing the Design and Build Scheme)/INFRA-2021-04
AND NON-RESPONSIVENESS OF BIDS OF LONE BIDDER
BERTO LUCCI BUILDERS & SUPPLY**

WHEREAS, the Bids and Awards Committee advertised the Invitation to Bid for the abovementioned project on PhilGEPS on December 3, 2020;

WHEREAS, the Pre-bid Conference was conducted on December 11, 2020, 03:00 pm, with only one bidder, Berto Lucci Builders & Supply, in attendance;

WHEREAS, the Opening of Bids was conducted on December 23, 2020, 03:05 pm, with only one bidder, Berto Lucci Builders & Supply, in attendance;

WHEREAS, during the opening of the first envelope, Berto Lucci Builders & Supply presented an Omnibus Sworn Statement inconsistent with the Required Forms indicated in the General Procurement Policy Board (GPPB) Resolution No. 16-2020, Section 6.0 Mandatory Provisions of Required Forms, i.e., the bidder's submitted Omnibus Sworn Statement lacks the following "[NEW]" provisions stated under 6.1.e Omnibus Sworn Statement:

ii. Bidder is not "blacklisted" or barred from bidding by the Government of the Philippines or any of its agencies, offices, corporations, or local government units, including foreign government/foreign or international financing institution whose blacklisting rules have been recognized by the GPPB, **by itself or by relation, membership, association, affiliation, or controlling interest with another blacklisted person or entity as defined and provided for in the Uniform Guidelines on Blacklisting;**

ix. **In case advance payment was made or given, failure to perform or deliver any of the obligations and undertakings in the contract shall be sufficient grounds to constitute criminal liability for Swindling (Estafa) or the commission of fraud**



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with unfaithfulness or abuse of confidence through misappropriating or converting any payment received by a person or entity under an obligation involving the duty to deliver certain goods or services, to the prejudice of the public and the government of the Philippines pursuant to Article 315 of Act No. 3815 s. 1930, as amended, or the Revised Penal Code;

WHEREAS, the said GPPB Resolution further states under 6.4 of Mandatory Provisions of Required Forms that:

“The PEs shall check compliance of the submitted forms with the mandatory provisions stated above. Non-submission of the Required Forms or **non-inclusion of the mandatory provisions in any of the Required forms shall be a ground for disqualification;**”

WHEREAS, under Section 35.1 “Failure of Bidding” of 2016 Revised Implementing Rules and Regulations of Republic Act 9184, the BAC shall declare the bidding a failure when:


c) **All bids fail to comply with all the bid requirements** or fail post-qualification, or in the case of Consulting Services, there is no successful negotiation;

WHEREAS, we, the Bids and Awards Committee, hereby resolve to:

1. Declare the failure of bidding for the project Site Development (Rebidding - Utilizing the Design and Build Scheme)/INFRA-2021-04;
2. Declare the submitted bids of Berto Lucci Builders & Supply, as a loner bidder, non-responsive.

Resolved this 23rd of December, 2020 at the Philippine Science High School Calabarzon Region Campus, Brgy. Sampaga, Batangas City.


ERNIE V. ROA
Member


FRANCIS M. EMRALINO
Member


MA. THERESA P. PAGULAYAN
Member



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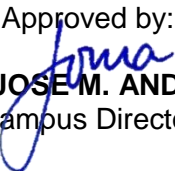


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ARLENE F. MAUHAY
Alternate Member


SARHA A. BAUTISTA
Vice-Chairman


MARY ANGEL L. GAVINA
Chairman

Approved by:

DR. JOSE M. ANDAYA
Campus Director