



**BAC RESOLUTION DECLARING SINGLE CALCULATED AND RESPONSIVE BID FOR  
THE REBIDDING OF SUPPLY AND DELIVERY OF VARIOUS HAND TOOLS,  
EQUIPMENT, ACCESSORIES, AND POWER TOOLS FOR THE FABRICATION  
LABORATORY OF PSHS-CALABARZON REGION CAMPUS**

RESOLUTION NO. 050, s. 2022

28 June 2022

**WHEREAS**, the Philippine Science High School - CALABARZON Region Campus, requested a quotation on April 6, 2022 for the SUPPLY AND DELIVERY OF VARIOUS HAND TOOLS, EQUIPMENT, ACCESSORIES, AND POWER TOOLS FOR THE FABRICATION LABORATORY OF PSHS-CALABARZON REGION CAMPUS with a total Approved Budget for Contract (ABC) of **SEVEN HUNDRED THREE THOUSAND SEVEN HUNDRED FORTY PESOS ONLY (P703,740.00)**;

**WHEREAS**, the Bids and Awards Committee (BAC) released BAC Resolution No. 41 on May 20, 2022, declaring a failure of bidding for the project, with the following reason, consistent with 2016 Revised Implementing Rules and Regulations of Republic Act No. 9184 (Updated as of 31 March 2021) stating that "The BAC may declare the bidding a failure when:

- a. No bid qualifies as the Lowest Calculated Responsive Bid..." (p. 12, Letter B);

**WHEREAS**, as a result and in compliance with the provisions of Section 35.2 and 35.3 of the Revised IRR of RA No. 9184 that in order to determine the reason for the failed bidding, the Committee shall conduct a mandatory review and evaluation of the terms, conditions, and specifications in the Terms of Reference (TOR), including its cost estimates, the BAC conducted a mandatory review of the TOR of the said project on May 20, 2022 where it was discussed that the reason for the failure of the bidding for the said project is the non-submission of complete mandatory documentary requirements of the lone bidder **RAINBOW HUB CONSTRUCTION**, specifically, the lack of the following document:

- a. Income/Business Tax Return (for ABCs above P500K)

**WHEREAS**, in a pre-procurement meeting held on May 27, 2022, the end-user explained the need to increase the ABC from **SEVEN HUNDRED THREE THOUSAND SEVEN HUNDRED FORTY PESOS ONLY (P703,740.00)** to **SEVEN HUNDRED FORTY-SEVEN THOUSAND FIVE HUNDRED SIXTY PESOS ONLY (Php747,560.00)**, since "the previous terms of reference scope were written in December 2021 and updated in February 2022," considering the fact that "The country is now on its economic concerns as oil prices spike, which may affect shipping or other means of production and transportation of such items," as cited in the report for the new market study he conducted;

**WHEREAS**, the Philippine Science High School - CALABARZON Region Campus conducted a rebidding with re-advertisement and/or posting for the project **SUPPLY AND DELIVERY OF VARIOUS HAND TOOLS, EQUIPMENT, ACCESSORIES, AND POWER TOOLS FOR THE FABRICATION LABORATORY OF PSHS-CALABARZON REGION CAMPUS** on June 6, 2022, with a total ABC of **SEVEN HUNDRED FORTY-SEVEN THOUSAND FIVE HUNDRED SIXTY PESOS ONLY (Php747,560.00)**;



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**WHEREAS**, there were seven (7) suppliers indicated in the Document Request List between the period of June 6 and June 9, 2022;

**WHEREAS**, in response to the said request, one (1) supplier submitted their quotation as summarized in the attached Abstract of Quotation with PR No. 2022-06-079;

**WHEREAS**, the mode of procurement used for the project was Small Value Procurement under the provisions in the 2016 Revised Implementing Rules and Regulations of Republic Act No. 9184 (Updated as of 31 March 2022);

**WHEREAS**, the ABSTRACT OF QUOTATION showed that **RAINBOW HUB CONSTRUCTION** had the single quoted price and was most responsive to the requirements under the Request for Quotation, with a bid quote of **SEVEN HUNDRED FORTY-SIX THOUSAND FIVE HUNDRED TWENTY-TWO PESOS ONLY (Php746,522.00)**;

**WHEREAS**, 2016 Revised Implementing Rules and Regulations of Republic Act No. 9184 (Appendix H Documentary Requirement Alternative Methods of Procurement) states that for **Small Value Procurement**, the requirements are as follows:

- a. Mayor's/Business Permit
- b. Professional License/Curriculum Vitae (Consulting Services)
- c. PhilGEPS Registration Number
- d. PCAB License (Infra)
- e. Income/Business Tax Return (for ABCs above P500K)
- f. Omnibus Sworn Statement (for ABCs above P50K)

**WHEREAS**, the BAC evaluated the mandatory documentary requirements submitted by **RAINBOW HUB CONSTRUCTION**, which also contained a letter of intent to participate in the bidding declaring as well their intention to submit to the timeline of the project and not to receive the payment unless the requirement for an updated Income/Business Tax Return has been complied with, stating that "Our establishment is interested to participate in this undertaking. However, we would like to inform your good office that our BIR Tax Clearance is still under process..." stating further that, "We are submitting our best cost proposal and please be assured that if the contract will be awarded to this establishment, **we will submit to the timeline of the project and commit to deliver within the time frame. We will request payment of the delivered items only upon submission of the updated BIR Tax Clearance certificate**";

**WHEREAS**, the BAC Secretariat, as instructed by the BAC, inquired through email on June 14, 2022 as to the date on which the **RAINBOW HUB CONSTRUCTION** could commit to submit their BIR Tax Clearance Certificate, to which the latter replied that they could submit the said requirement on the second to third week of July 2022;

**WHEREAS**, the BAC, through its Secretariat, sent an email on June 28, 2022 reiterating such declaration, specifically, "**...the agreement based on your submitted letter that payment of the delivered items shall be made only upon submission of the updated**

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**BIR Tax Clearance certificate,"** which **RAINBOW HUB CONSTRUCTION** acknowledged on that date as well.

**NOW, THEREFORE,** We, the members of the Bids and Awards Committee for Goods and Consulting Services, hereby **RESOLVE** as it is hereby **RESOLVED**

- a. To declare **RAINBOW HUB CONSTRUCTION** as the **SINGLE CALCULATED AND RESPONSIVE BIDDER (WINNING BIDDER)** with a bid quote amounting to **SEVEN HUNDRED FORTY-SIX THOUSAND FIVE HUNDRED TWENTY-TWO PESOS ONLY (Php746,522.00);**
- b. To recommend the award of contract to **RAINBOW HUB CONSTRUCTION** with the condition that payment shall only be given upon submission of the updated **BIR Tax Clearance Certificate;** and
- c. To recommend for approval by the Campus Director of the Philippine Science High School - CALABARZON Region Campus the foregoing findings.

**RESOLVED,** at the Philippine Science High School - CALABARZON Region Campus, Sampaga, Batangas City this 28<sup>th</sup> day of June 2022.

**MARY ANGEL L. GAVINA**  
BAC Chairperson

**ROMEO M. MADRONA, JR.**  
BAC Vice-Chairperson

**MYLA A. ARGENTE**  
BAC Member

**ARNEL E. AGUILA**  
BAC Member

**CLADYS M. FALCUNAYA**  
BAC Member

(on recuperation period)  
**JOHN-NIEL T. MASONG**  
BAC Member

**ARLENE F. MAUHAY**  
BAC Member



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Approved:

  
**JOSE M. ANDAYA, D.T.**  
Director III

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