



Republic of the Philippines
PUBLIC ATTORNEY'S OFFICE
Tanggapan ng Manananggol Pambayan
DOJ Agencies Building, NIA Road corner East Avenue, 1104 Quezon City
Telephone Nos. 929-90-10 / 929-94-36 ; Fax Nos. 927-68-10 / 926-28-78

PAO BIDS AND AWARDS COMMITTEE (PBAC)

EXCERPTS FROM THE MINUTES OF THE MEETING OF THE PAO BIDS AND AWARDS COMMITTEE (PBAC) DATED 09 DECEMBER 2020 **RE: FAILURE OF BIDDING IN THE PROCUREMENT OF DRINKING WATER SUPPLY FOR CY 2021 FOR THE USE OF PAO-CENTRAL OFFICE, AT THE SERVICE HEAD'S OFFICE, FIELD OPERATIONS AND STATISTICS SERVICE (FOSS), PAO CENTRAL OFFICE**

R E S O L U T I O N

DECLARING A FAILURE OF BIDDING IN THE PROCUREMENT OF DELIVERY AND SUPPLY OF DRINKING WATER FOR CY 2021 FOR THE PAO CENTRAL OFFICE

WHEREAS, the Public Attorney's Office (PAO) is committed to adhere to the State's Policy of securing and maintaining the trust and confidence of every Filipino, by upholding transparency, good governance and anti-corruption measures;

WHEREAS, PAO published on 06 November 2020 an invitation to bid for the subject procurement in the PhilGEPS under Bid No. 78555 and posted it in the PAO website and PAO lobby;

WHEREAS, this committee issued a resolution dated 02 December 2020 to subject to post-qualification, thru the PAO-BAC Technical Working Group (TWG), the submitted bid of M&M Water Refilling Station (M&M);

WHEREAS, the TWG observed and confirmed that M&M's Philgeps registration already expired as of 15 October 2020.¹

WHEREAS, considering Section 35.1 (c) of the Revised IRR of R.A. 9184 provides that the BAC shall declare the bidding a failure when a bid fails to pass post-qualification, BAC Member Atty. Alem-Eman Abeya moved to declare a failure of bidding for the subject procurement duly seconded by BAC Member Atty. Ronald Jerome Nieves;

WHEREAS, after a conduct of mandatory review and evaluation of the terms, conditions and specifications in the Bidding Documents with the BAC-TWG, in accordance to Section 35.2 of the same Act, BAC Member Atty. Ronald Jerome Nieves moved to adapt the previous terms, conditions and specifications, including its cost estimates for the subject procurement and to conduct a re-bidding with re-advertisement and/or posting in accordance with Sec. 35.3 of the same Act duly seconded by BAC Member Atty. Alem-Eman Abeya;

NOW THEREFORE, WE, the Members of the PAO Bids and Awards Committee (PBAC), by virtue of the powers vested on Us by Law, after duly considering the

¹ Copy of Certificate of PHILGEPS Registration of M&M

recommendations of the Technical Working Group (TWG), and all members here present, , **hereby resolve to DECLARE A FAILURE OF BIDDING IN THE PROCUREMENT OF THE DELIVERY AND SUPPLY OF DRINKING WATER FOR CY 2021 AND TO CONDUCT A SECOND POSTING FOR PURPOSES OF A SECOND BIDDING UNDER SECTION 35.2 AND SECTION 35.3 OF R.A. No. 9184.**

APPROVED this 9th of December 2020 at the Field Operations and Statistics Services (FOSS), Public Attorney's Office (PAO) Central Office, 4th Floor DOJ Agencies Building, NIA Road corner East Avenue, Diliman, (1104) Quezon City, Philippines.

ATTY. FLORDELIZA G. MERELOS
Public Attorney IV
Member, PBAC
Officer-In-Charge
Special Appealed Cases Unit

ATTY. ALEM-EMAN CHISUM L. ABEYA
Public Attorney III
Member, PBAC
Executive Support Staff

ATTY. MARLON BUAN
Regional Public Attorney
Chairperson, PBAC
PAO-NCR and concurrent
District Public Attorney
Manila District Office

ATTY. RIGEL A. SALVADOR
Public Attorney IV
Member, PBAC
Officer-In-Charge
Field Operations and Statistics Service

ATTY. RONALD JEROME P. NIEVES
Vice-Chairperson, PBAC
Officer-In-Charge
Legal Research Service

Acceded By: (The TWG)

MS. ALMA E. DUMAGO-LATOSA
Head, Technical Working Group (TWG)
Director II
Financial Planning and Management Service

MR. MICHAEL M. MENDOZA
Member, Technical Working Group
(TWG)
Administrative Assistant III
Cash Section
Administrative Service


MR. THOR ARTHUR B. AVILLA
Member, Technical Working Group (TWG)
Administrative Officer V
Human Resource Management Service
Administrative Service

Prepared By: (The Secretariat)


ATTY. MIGUEL MARCISO A. ILAGAN
Head, PBAC Secretariat
Public Attorney III
Executive Support Staff

MS. CATALINA N. NUÑEZ
Member, PBAC Secretariat
Legal Assistant II
Field Operations and Statistics Service

MS. MA. TERESITA S. ESPANOLA
Member, PBAC Secretariat
Administrative Assistant III
Human Resource Management
And Development Division,
Administrative Service


MR. CHRISTIAN A. BACAYCAY
Member, PBAC Secretariat
Administrative Assistant III
Supply Section, Administrative Service