



Republic of the Philippines  
**PUBLIC ATTORNEY'S OFFICE**  
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**PAO BIDS AND AWARDS COMMITTEE (PBAC)**

EXCERPTS FROM THE MINUTES OF THE MEETING OF THE PAO BIDS AND AWARDS COMMITTEE (PBAC) DATED 05 NOVEMBER 2019 RE: PROCUREMENT OF SERVICE VEHICLES FOR THE PUBLIC ATTORNEYS OFFICE FOR 2019.

**RESOLUTION**

**DECLARING A FAILURE OF BIDDING IN THE PROCUREMENT OF SERVICE VEHICLES FOR THE PUBLIC ATTORNEY'S OFFICE FOR 2019 AND ADOPTING THE MANDATORY REVIEW AND EVALUATION OF THE TERMS, CONDITIONS, COST ESTIMATES AND SPECIFICATIONS OF THE INVITATION TO BID FOR PURPOSES OF A SECOND BIDDING UNDER SECTION 35.2 AND SECTION 35.3 OF REPUBLIC ACT NO. (RA) 9184**

**WHEREAS**, The PUBLIC ATTORNEY'S OFFICE (PAO), through the General Appropriations Act (GAA) 2019<sup>1</sup> intends to apply the sum of Four Million Three Hundred Eighty Four Thousand Pesos (Php 4,384,000.00) being the Approved Budget for the Contract (ABC) to payments under the contract for the procurement of Three (3) Service Vehicle Vans for the Public Attorney's Office;

**WHEREAS**, PAO posted an invitation to bid in the PAO website, PAO lobby and in PhilGEPS under Reference No. 6532463 on 08 October 2019 but no bids were received until the scheduled last day of submission of bids on 29 October 2019;

**WHEREAS**, Section 35.1 (a) of the Revised IRR of R.A. 9184 provides that the BAC shall declare the bidding a failure when no bids are received;

**WHEREAS**, Section 35.2 of the same Act provides that in order to determine the reason for the failed bidding, the BAC shall conduct a mandatory review and evaluation of the terms, conditions and specifications in the Bidding Documents, including its cost estimates;

**WHEREAS**, Section 35.3 of the same Act provides that the BAC shall conduct a re-bidding with re-advertisement and/or posting, as provided for in Section 21.2 of the IRR;

**WHEREAS**, after the conduct of mandatory review by the PAO-BAC-Technical Working Group (PBAC-TWG), BAC Member Atty. Marilyn Balbin moved to declare a failure of bidding for the subject procurement and to adopt the mandatory review of the PBAC-TWG for purposes of second posting, duly seconded by BAC Member Atty. Flordeliza Merelos;

<sup>1</sup> In the case of National Government Agencies, the General Appropriations Act and/or continuing appropriations; in the case of GOCCs, GFIs, and SUCs, the Corporate Budget for the contract approved by the governing Boards; in the case of (LGUs, the Budget for the contract approved by the respective Sanggunian. (Section 5(a), R.A. 9184)